

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 06/15/2021
DATE
PUBLIC SESSION: 06/15/2021
DATE**

ITEM (CHECK ONE)

ORDINANCE CONDEMNATIONS GRANT ACCEPTANCE / AMENDMENT
 RESOLUTION GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 OTHER: _____

ITEM DESCRIPTION: A resolution approving an abandonment of paper Meda Street south of York
CASE NUMBER: SAC 21-005
DEVELOPMENT: Right-of-way closure and vacation
LOCATION: 2197 Central Ave. (nearest)
COUNCIL DISTRICTS: District 10 and Super District 8 – Positions 1, 2, and 3
OWNER/APPLICANT: City of Memphis/City Construction & Development, LLC
REPRESENTATIVES: Cory Brady, PLA, AICP
EXISTING ZONING: Employment (EMP)
REQUEST: Abandonment of paper Meda Street south of York
AREA: 0.0458 acres
RECOMMENDATION: The Division of Planning and Development recommended *Approval with conditions*
The Land Use Control Board recommended *Approval with conditions*

RECOMMENDED COUNCIL ACTION: Public Hearing Not Required

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
05/13/2021 DATE
(1) Land Use Control Board ORGANIZATION - (1) BOARD / COMMISSION
(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____ REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____ AMOUNT OF EXPENDITURE
\$ _____ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____ OPERATING BUDGET
\$ _____ CIP PROJECT # _____
\$ _____ FEDERAL/STATE/OTHER _____

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
	<u>5/27/2021</u>	PRINCIPAL PLANNER
		DEPUTY ADMINISTRATOR
		ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SAC 21-021

Resolution requesting to approve the abandonment of paper Meda Street south of York.

- This item is a resolution with conditions to allow the above; and
- The Division of Planning & Development at the request of the Owner/Applicant(s): City of Memphis/City Construction & Development, LLC and Representative(s): Cory Brady, PLA, AICP; and
- This item may require a new public improvement contract.



RESOLUTION

A resolution approving the abandonment of paper Meda Street south of York located approximately 305.9 feet north of 2197 Central Avenue, known as case number SAC 21-005.

WHEREAS, the City of Memphis is the owner of real property known as the paper Meda Street south of York in Memphis, Tennessee and being more particularly described as follows:

Part of Meda Street as dedicated in East-End Highlands Subdivision recorded in Plat Book 6, Page 87 in the Register's Office of Shelby County, and being more particularly described as follows:

Commencing at the centerline intersection of Meda Street and York Avenue; thence South 49 degrees 06 minutes 42 seconds West a distance of 28.53 feet to the True Point of Beginning; thence South 86 degrees 22 minutes 38 seconds East along the south line of York Avenue a distance of 40.00 feet to the east line of Meda Street and being in the west line of the KSN Company property (Inst. X2 9708); thence South 04 degrees 36 minutes 20 seconds West along the east line of Meda Street a distance of 45.90 feet to the north line of the Michael McGhee property (Inst. HE 4465); thence southwestwardly along the north line of said McGhee property with a curve to the right which radius is 8967.85 feet, chord bearing South 82 degrees 13 minutes 22 seconds West chord distance of 40.95 an arc distance of 40.95 feet to the west line of Meda Street and being in the east line of the New Ballet Ensemble Inc. property (Inst. #04161275); thence North 04 degrees 36 minutes 20 seconds East a distance of 54.00 feet to the point of beginning, containing 1998 square feet.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owner(s); and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 13, 2021, and said Board has submitted its findings and recommendation to the Council of the City of Memphis subject to the following conditions:

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the

closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above required construction work.

3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above described public right-of-way be and is hereby closed for public use, subject to the aforementioned conditions.

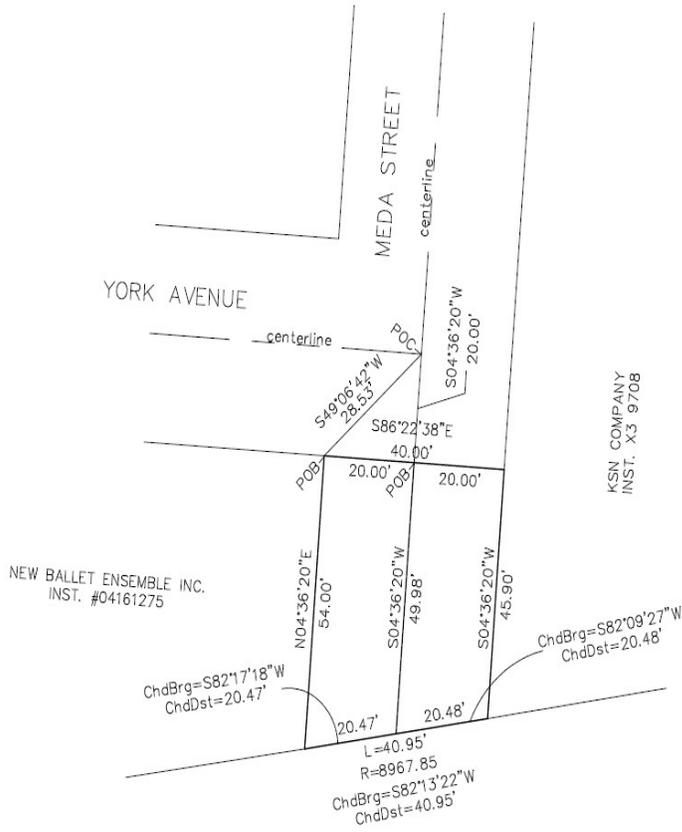
BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deed(s) to the owners of the properties abutting on the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company and the Shelby County Property Assessor's Office.

ATTEST:

**Cc: Division of Planning and Development – Land Use and Development Services
City Engineering – Land Development
City Real Estate**

RIGHT-OF-WAY-VACATION PLAT



Michael McChee Inst. HE 4465

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, May 13, 2021*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SAC 21-005

LOCATION: 2197 Central Ave. (nearest)

COUNCIL DISTRICT(S): District 10, Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: City of Memphis/City Construction & Development, LLC

REPRESENTATIVE: Cory Brady, PLA, AICP

REQUEST: Abandonment of paper Meda Street south of York

EXISTING ZONING: Employment (EMP)

AREA: 0.0458 acres

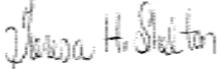
The following spoke in support of the application: None

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions of the application.

The motion passed by a unanimous vote of 9-0 on the consent agenda.

Respectfully,



Teresa H. Shelton
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SAC 21-005

CONDITIONS

1. Provide easements for existing sanitary sewers, drainage facilities, and other utilities or relocate at developer's expense.
2. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above required construction work.
3. The applicant shall comply with all conditions of the closure within three years of the conditional approval of the closure by the Council of the City of Memphis.
4. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
5. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.



Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET, SUITE 476, MEMPHIS, TENNESSEE 38103-2084 (901) 363-6619

APPLICATION FOR RIGHT-OF-WAY VACATION/ STREET/ALLEY/CLOSURE APPROVAL

Date: 02/02/2021

Case #: _____

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: Meda Street

Property Owner of Record: City of Memphis Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Property Owner E-Mail Address: _____

Applicant: City Construction & Development, LLC Phone # (901)682-2500

Mailing Address: 5851 Ridge Bend City/State: Memphis/TN Zip 38120

Applicant E-Mail Address: bthomas@cityllc.com

Representative: Cory Brady, PLA, AICP Phone #: (901)493-6996

Mailing Address: 9967 Bentwood Creek Cv. City/State: Collierville/TN Zip 38017

Representative E-Mail Address: corybrady@gmail.com

Engineer/Surveyor: Campbell Surveying Company Phone # (901)683-9114

Mailing Address: 1023 S. Yates Road City/State: Memphis/TN Zip 38119

Engineer/Surveyor E-Mail Address: Charles@campbellsurveying.net

Closure Street Address Location: 2197 Central Avenue (nearest)

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of Reserve Area Yes No

Distance to nearest intersecting street: York Avenue contiguous (eastbound intersection at Meda)

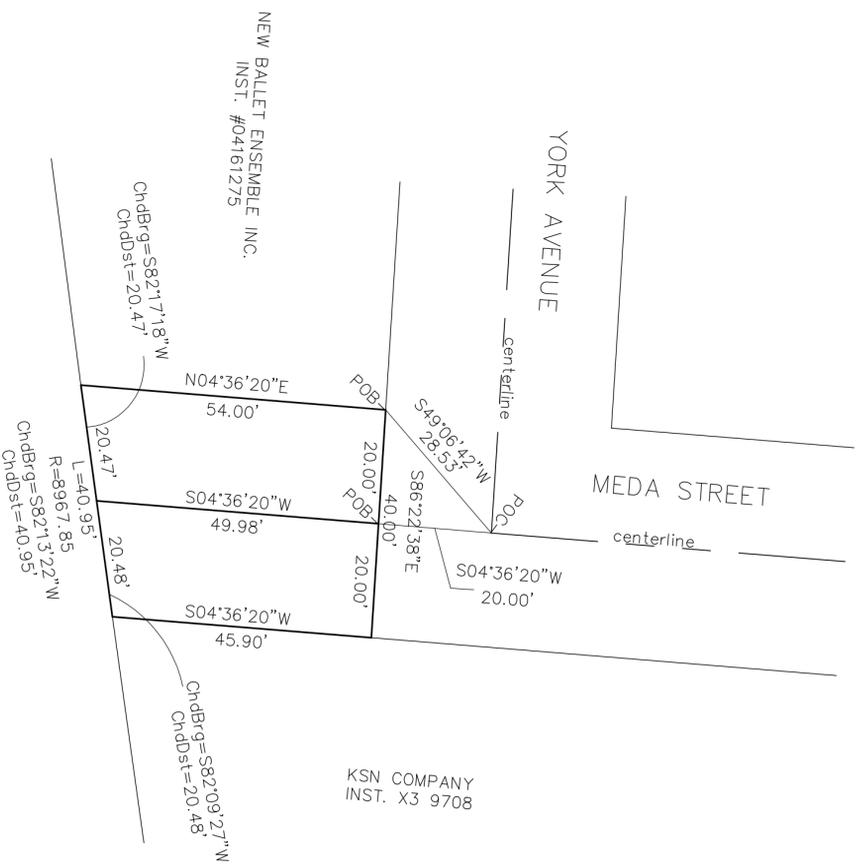
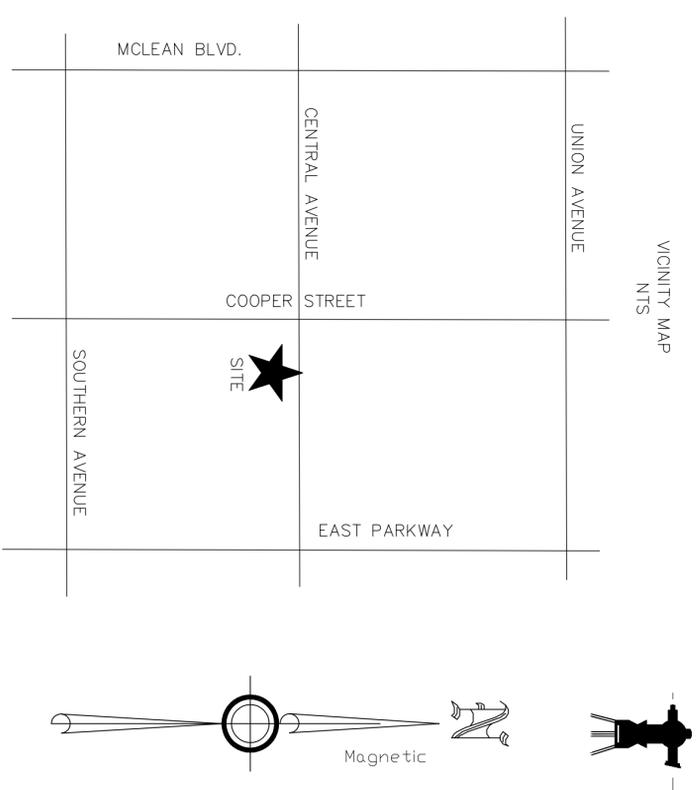
Area of ROW: 1998sf/0.0458 Square-Foot/Acres Length x Width of ROW: 54'L X 40'W Feet

Closure starts at: South R.O.W. of York Avenue (Refer to legal description) and

Proceeds to Length varies, approximately 54' south to adjacent converted section.

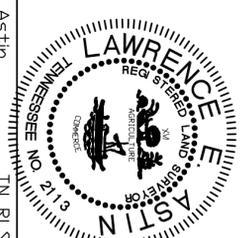
Reason for Closure: Excess right-of-way no longer providing public access or maintained by the City of Memphis.

Land Area will be utilized by adjacent properties.



I hereby certify that this is a Category 1 Survey and that the ratio of precision of the un-adjusted survey is 1: 10,000 or greater as shown hereon and that the survey was done in compliance with current Tennessee Minimum Standards of Practice.

Lawrence E. Astin
Tennessee No. 21713
T.N. RLS 2113



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Commencing at the centerline intersection of Meda Street and York Avenue; thence South 49 degrees 06 minutes 42 seconds West a distance of 28.53 feet to the True Point of Beginning; thence South 86 degrees 22 minutes 38 seconds East along the south line of York Avenue a distance of 40.00 feet to the east line of Meda Street and being in the west line of the KSN Company property (Inst. X2 9708); thence South 04 degrees 36 minutes 20 seconds West along the east line of Meda Street a distance of 45.90 feet to the north line of the Michael McGhee property (Inst. HE 4465); thence southwardly along the north line of said McGhee property with a curve to the right which radius is 8967.85 feet, chord bearing South 82 degrees 13 minutes 22 seconds West chord distance of 40.95 feet to the west line of Meda Street and being in the east line of the New Ballet Ensemble Inc. property (Inst. #04161275); thence North 04 degrees 36 minutes 20 seconds East a distance of 54.00 feet to the point of beginning, containing 1998 square feet.

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Part of Meda Street as dedicated in East-End Highlands Subdivision recorded in Plat Book 6, Page 87 in the Register's Office of Shelby County, and being more particularly described as follows:

Commencing at the centerline intersection of Meda Street and York Avenue; thence South 04 degrees 36 minutes 20 seconds West a distance of 20.00 feet to the True Point of Beginning; thence South 86 degrees 22 minutes 38 seconds East along the south line of York Avenue a distance of 20.00 feet to east line of Meda Street and being in the west line of the KSN Company property (Inst. X2 9708); thence South 04 degrees 36 minutes 20 seconds West along said east of Meda Street a distance of 45.90 feet to the north line of the Michael McGhee property (Inst. HE 4465); thence southwardly along the north line of said McGhee property with a curve to the right which radius is 8967.85 feet, chord bearing South 82 degrees 09 minutes 27 seconds West chord distance of 20.48 an arc distance of 20.48 feet to the centerline of Meda Street; thence North 04 degrees 36 minutes 20 seconds East along said centerline a distance of 49.98 feet to the point of beginning, containing 956.28 square feet.

PLAT NO. 1 OF 1 SHEET 1 OF 1

DIVISION OF ENGINEERING

Road Closure Plat
Meda Street

Dedicated in Plat Book 6, Page 87
Shelby County Register's Office
Shelby County, Tennessee

SURVEY BY C. CAMPBELL DATE 11/10/2020
DRAFTSMAN L. ASTIN DATE 11/10/2020 SCALE 1" = 20'

REVIEWED

CITY ENGINEER DATE

DEPUTY CITY ENGINEER DATE

Campbell Surveying Company Suite 101
1023 South Yates Road
Memphis, TN 38119 (901) 683-9114

METES AND BOUNDS DESCRIPTION

Prepared by Campbell Surveying

(Overall)

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(Section 1 - West Portion)

Part of Meda Street as dedicated in East-End Highlands Subdivision recorded in Plat Book 6, Page 87 in the Register's Office of Shelby County, and being more particularly described as follows:

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(Section 2 – East Portion)

Part of Meda Street as dedicated in East-End Highlands Subdivision recorded in Plat Book 6, Page 87 in the Register's Office of Shelby County, and being more particularly described as follows:

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029001 00019

029001 00004C

029001 00008

029003 00005C

029004 00036

029001 00016

029001 00015

029001 00014

029001 00011C

029001 00010

029001 00009

Meda Street

029003 00001

029003 00004

029004 00004

York Avenue

South Cox Street

SITE

029002 00002C

029002 00003

029005 00006

029006 00017

029004 00035

029006 00015Z

029005 00005

- Legend**
- polylineLayer
 - Override 1
 - polygonLayer
 - Override 1
 - polylineLayer
 - Override 1
 - Roads
 - Parcels

029006 00015

029006 00002C

Meda Street

029005 00001C

029005 00003C



Map prepared through Shelby County Government's online mapping Portal on 2/2/2021

N

0 0.0075 0.015 0.0225 0.03 mi

029009 00001

KSN COMPANY
2197 CENTRAL AVE
MEMPHIS TN 38104

NEW BALLET ENSEMBLE INC
2157 YORK AVE
MEMPHIS TN 38104

MCGHEE MICHAEL E
781 MEDA ST
MEMPHIS TN 38104

029003 00001 - KSN COMPANY

029002 00003 - NEW BALLET ENSEMBLE INC

029006 00017 - MCGHEE MICHAEL E

INTEGRATED LAND SOLUTIONS, pllc

planning ▪ design ▪ landscape architecture

February 4, 2020

Josh Whitehead, AICP
Administrator/Planning Director
Memphis and Shelby County Office of Planning and Development
125 North Main Street, Suite 468
Memphis, TN 38104

Re: Application for R.O.W. Vacation
Meda Street, south of York Avenue

Mr. Whitehead,

On behalf of the applicant, City Construction and Development, LLC, I am requesting approval of right-of-way vacation for a section of Meda Street that is no longer being utilized or maintained by the City of Memphis or adjacent properties.

Originally dedicated with the recording of the East End Highlands Subdivision (PB6, PG 87), the 40' wide right-of-way under consideration is the 54' long section immediately north of the abandoned Union Belt Line Railway and south of York Avenue. The subject right-of-way is bordered to the west by The New Ballet Ensemble property (2157 York Ave), to the east by City Construction & Development LLC property (2197 Central Ave), and to the south by McGhee's Crane Services property (781 Meda St).

The subject right-of-way is currently not serving any adjacent property, the site is overgrown with vegetation, and is barricaded at the adjoining border with the south adjacent McGhee Crane Services property where crane equipment is stored. In coordination with The New Ballet Ensemble, the applicant intends to utilize the full right-of-way area as an access point in service of future development at the 2197 Central Property.

Please find enclosed the information and illustrations required by the application and a photo of the subject area. A pre-application conference was held with Jeffrey Penzes February 2, 2020. If you should have any questions, please do not hesitate to contact me. Thank you for your assistance and consideration of this request.

Respectfully,



Cory Brady, PLA, AICP
Integrated Land Solutions, pllc

SUBJECT SITE
Southbound from York Ave.





Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.

21013441

02/02/2021 - 04:10:30 PM

7 PGS

BRANDON 2166831-21013441

VALUE	650000.00
MORTGAGE TAX	0.00
TRANSFER TAX	2405.00
RECORDING FEE	35.00
DP FEE	2.00
REGISTER'S FEE	1.00
EFILE FEE	2.00
TOTAL AMOUNT	2445.00

SHELANDRA Y FORD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

<p>THIS INSTRUMENT WAS PREPARED BY:</p> <p>THE WEISSMAN FIRM 5118 Park Avenue, Suite 600 Memphis, TN 38117 Telephone: 901-763-2134 Fax: 901-435-6115</p>		<p>State of Tennessee County of Shelby</p> <p>The actual consideration or value, whichever is greater, for this transfer is \$650,000.00.</p> <p><i>Jaffany Cummings</i> Affiant</p> <p>Subscribed and sworn to before me, this the 29th day of January, 2021.</p> <p><i>James A. Crum</i> Notary Public</p> <p>My commission expires: _____ (STATE OF TENNESSEE) NOTARY PUBLIC JAMES A. CRUM COUNTY OF SHELBY, TENNESSEE MY COMM. EXP. MAY 08, 2023</p>
<p>WARRANTY DEED</p>		
<p>Address of New Owner(s) as follows:</p>	<p>Send Tax Bills To:</p>	<p>Property Address: 2197 Central Ave. Memphis, TN 38104</p>
<p>City Construction & Development, LLC 5851 Ridge Bend Rd. Memphis, TN 38120</p>	<p>City Construction & Development, LLC 5851 Ridge Bend Rd. Memphis, TN 38120</p>	<p>Map-Parcel Number: 029 003 00001</p>

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGE, I/WE,

KSN Company, a General Partnership composed of Nancy Louise Markwell, Scott Neely Markwell and Kenneth Markell, III

HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO

City Construction and Development, LLC

HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN SHELBY COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Lots 51, 52, 53, 54, 55, 56, and 57, East-End Highlands Subdivision, as shown on plat of record in Plat Book 6, Page 87, Register's Office, Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property. Less and Except that portion of Lots 55, 56 and 57 conveyed to the City of Memphis b Warranty Deed of record in Book 988, Page 300, said Register's Office.

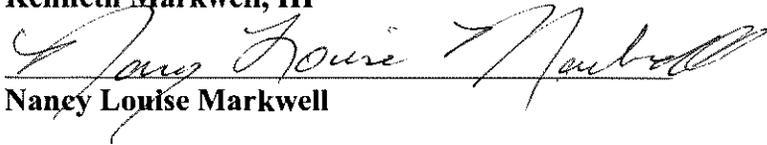
Being the same property conveyed to the grantor herein by Warranty Deed of record at Instrument No. X3 9708, said Register's Office.

This conveyance is subject to 2021 city and county taxes, a lien, but not yet due and payable; and subject to subdivision, restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of record in Plat Book 6, Page 87; and Easement recorded in Book 1694 Page 490, Book 182, Page 206, and Book 988, Page 300, Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, its successors and assigns in fee simple forever. And Grantors do hereby covenant with Grantees, that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same in unencumbered, unless otherwise herein set out above; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their successors, heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands this 28th day of **January, 2021**.

**KSN Company, a general partnership, composed of
Nancy Louise Markwell; Scott Neely Markwell and
Kenneth Markwell, III**


Nancy Louise Markwell

Scott Neely Markwell

Kenneth Markwell, III

STATE OF _____

COUNTY OF _____

Before me, a Notary Public, of the State and County aforesaid, personally appeared **Nancy Louise Markwell**, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be a partner of **KSN Company, a general partnership**, the within named bargainor, a partnership and that he as such partners executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by himself as partner.

WITNESS my hand and Notarial Seal, this the _____ day of _____, 2021.

My commission expires:

NOTARY PUBLIC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

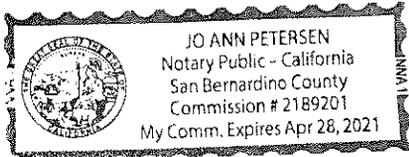
On January 28, 2021 before me, JoAnn Petersen, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Nancy Anne Markwell
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature JoAnn Petersen
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Warranty Deed
Document Date: 01/28/2021 Number of Pages: 3
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Nancy Anne Markwell
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Being the same property conveyed to the grantor herein by Warranty Deed of record at Instrument No. X3 9708, said Register's Office.

This conveyance is subject to 2021 city and county taxes, a lien, but not yet due and payable; and subject to subdivision, restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of record in Plat Book 6, Page 87; and Easement recorded in Book 1694 Page 490, Book 182, Page 206, and Book 988, Page 300, Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, its successors and assigns in fee simple forever. And Grantors do hereby covenant with Grantees, that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same in unencumbered, unless otherwise herein set out above; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their successors, heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands this _____ day of **January, 2021**.

**KSN Company, a general partnership, composed of
Nancy Louise Markwell; Scott Neely Markwell and
Kenneth Markwell, III**

Nancy Louise Markwell



Scott Neely Markwell

Kenneth Markwell, III

STATE OF _____

COUNTY OF _____

Before me, a Notary Public, of the State and County aforesaid, personally appeared **Nancy Louise Markwell**, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be a partner of **KSN Company, a general partnership**, the within named bargainor, a partnership and that he as such partners executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by himself as partner.

WITNESS my hand and Notarial Seal, this the _____ day of _____, 2021.

My commission expires:

NOTARY PUBLIC

Being the same property conveyed to the grantor herein by Warranty Deed of record at Instrument No. X3 9708, said Register's Office.

This conveyance is subject to 2021 city and county taxes, a lien, but not yet due and payable; and subject to subdivision, restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of record in Plat Book 6, Page 87; and Easement recorded in Book 1694 Page 490, Book 182, Page 206, and Book 988, Page 300, Register's Office of Shelby County, Tennessee.

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, its successors and assigns in fee simple forever. And Grantors do hereby covenant with Grantees, that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same in unencumbered, unless otherwise herein set out above; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their successors, heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

WITNESS our hands this _____ day of **January, 2021**.

**KSN Company, a general partnership, composed of
Nancy Louise Markwell; Scott Neely Markwell and
Kenneth Markwell, III**

Nancy Louise Markwell

Scott Neely Markwell

Kenneth Markwell III

Kenneth Markwell, III

STATE OF _____

COUNTY OF _____

Before me, a Notary Public, of the State and County aforesaid, personally appeared **Nancy Louise Markwell**, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be a partner of **KSN Company, a general partnership**, the within named bargainor, a partnership and that he as such partners executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by himself as partner.

WITNESS my hand and Notarial Seal, this the _____ day of _____, 2021.

My commission expires:

NOTARY PUBLIC

STATE OF Virginia
COUNTY OF Roanoke

Before me, a Notary Public, of the State and County aforesaid, personally appeared **Scott Neely Markwell**, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be a partner of **KSN Company, a general partnership**, the within named bargainor, a partnership and that he as such partners executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by himself as partner.

WITNESS my hand and Notarial Seal, this the 28 day of Jan, 2021.

My commission expires:
7/31/2022


NOTARY PUBLIC

JOSEPH EUGENE TUCCARONE
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JULY 31, 2022
COMMISSION # 7367723

STATE OF Tennessee
COUNTY OF Shelby

Before me, a Notary Public, of the State and County aforesaid, personally appeared **Kenneth Markwell, III**, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be a partner of **KSN Company, a general partnership**, the within named bargainor, a partnership and that he as such partners executed the foregoing instrument for the purpose therein contained, by signing the name of the partnership by himself as partner.

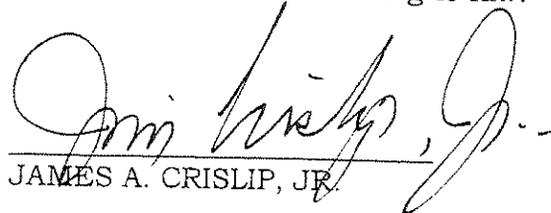
WITNESS my hand and Notarial Seal, this the 29 day of January, 2021.

My commission expires:


NOTARY PUBLIC

WANDA J WALKER
STATE OF TENNESSEE
NOTARY PUBLIC
COUNTY OF SHELBY
MY COMM. EXP. AUG. 14, 2022

I, JAMES A. CRISLIP, JR., do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.


JAMES A. CRISLIP, JR.

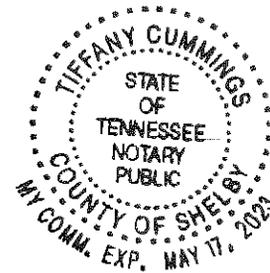
State of Tennessee

County of Shelby

Personally appeared before me, Tiffany Cummings a notary public for this county and state, JAMES A. CRISLIP, JR., who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.


Notary Public

My Commission Expires: May, 17, 2023





Tom Leatherwood
Shelby County Register

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

 04161275	
09/24/2004 - 12:27 PM	
2 PGS : R - WARRANTY DEED	
VIRGINIA 261577-4161275	
VALUE	271000.00
MORTGAGE TAX	0.00
TRANSFER TAX	1002.70
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
WALK THRU FEE	0.00
TOTAL AMOUNT	1015.70
TOM LEATHERWOOD	
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE	

WARRANTY DEED

THIS INDENTURE, made and entered into on this 21 day of September, 2004, by and between JAMES AND JAMES PARTNERS, party of the first part, and NEW BALLET ENSEMBLE, INC., A TENNESSEE NOT FOR PROFIT CORP., party of the second part.

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the County of Shelby State of Tennessee, to-wit:

Lots 64, 87, 88, 89, and part of Lot 86, East End Highlands Subdivision as recorded in Plat Book 6, Page 87 in the Registers Office of Shelby County, Tennessee, and being more particularly described as follows:

Beginning at the intersection of the west line of Meda Street (40' right of way) and the south line of York Avenue (40 right of way); thence South 05 degrees 02 minutes 00 seconds West along said west line a distance of 54.00 feet to the northwest line of Union Belt Line Railway (100' right of way); thence along said northwest line the following four calls: South 82 degrees 34 minutes 02 seconds West a distance of 128.00 feet; South 83 degrees 01 minutes 37 seconds West a distance of 51.11 feet; thence South 83 degrees 27 minutes 58 seconds West a distance of 51.03 feet; thence South 83 degrees 14 minutes 47 seconds West a distance of 51.07 feet; thence South 84 degrees 27 minutes 35 seconds West a distance of 1.00 feet; thence North 05 degrees 02 minutes 00 seconds East parallel to the line dividing Lots 86 and 87 a distance of 109.07 feet to a point in the south line of York Avenue; thence South 85 degrees 48 minutes 22 seconds East along said south line a distance of 276.00 feet to the point of beginning, containing 0.5195 acres.

Being a part of the same property conveyed to party of the first part herein by Warranty Deed of record as Instrument No. 03194011, in the Register's Office of County, Tennessee.

The property herein conveyed is subject to the following: 2005 Shelby County taxes and 2005 City of Memphis taxes, not yet due and payable, which second party agrees to pay, subdivision restrictions, building lines and easements of record in Plat Book 6, page 87, and Division Wall, Easements and Encroachment Agreement of record in Instrument No. FT 3934, in the Register's Office of County, Tennessee.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, his heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is lawfully seized in fee of the aforescribed real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except as set out hereinabove; and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if it refers to more than one person or entity, and pronouns shall be construed according to their proper gender and number according to the context hereof.

WITNESS the signature of the party of the first part the day and year first above written.

JAMES AND JAMES PARTNERS

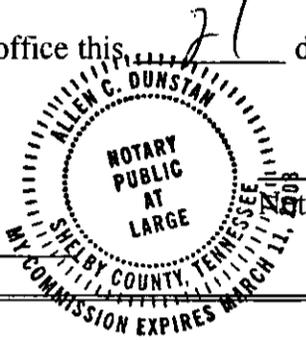
By: *James E. Rasberry*
JAMES E. RASBERRY, PARTNER

By: *James M. Lewis*
JAMES M. LEWIS, PARTNER

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned Notary Public of the State and County aforesaid, personally appeared JAMES E. RASPBERRY AND JAMES M. LEWIS, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged themselves to be PARTNERS of JAMES AND JAMES PARTNERS, the within named bargainor, and that they, as such PARTNERS, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of JAMES AND JAMES PARTNERS, by themselves as such PARTNERS.

WITNESS my hand at office this 21 day of September, 2004.



[Handwritten Signature]

Notary Public

My commission expires: _____

PROPERTY ADDRESS:
2157 York Avenue
Memphis, Tennessee 38104

MORTGAGEE:
NONE

NAME AND ADDRESS OF PROPERTY OWNER(S):
NEW BALLET ENSEMBLE, INC.
2157 YORK
MEMPHIS, TENNESSEE

MAIL TAX NOTICES TO:
Owner at above address.

THIS INSTRUMENT PREPARED BY:
ALLEN C. DUNSTAN
ARMSTRONG ALLEN, PLLC
6060 Poplar Avenue, Suite 140
Memphis, Tennessee 38119

RETURN TO:
HARRIS SHELTON
6060 POPLAR AVENUE
MEMPHIS, TN 38119

T.G. No. CTC
Tax Parcel No.: 029-002-00003
File No. 04093412

State Tax	\$ _____
Register's Fee	\$ <u>1.00</u>
Recording Fee	\$ <u>12.00</u>
TOTAL	\$ _____

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$271,000.00, which amount is equal to or greater than the amount which the property would command at a fair and voluntary sale.

Carol F. Bateman

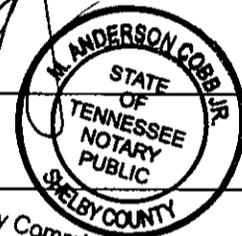
Affiant

Subscribed and sworn to before me this 21st day of September, 2004.

[Handwritten Signature]

Notary Public

My commission expires: _____



(FOR RECORDING DATA ONLY)

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 06/15/2021

DATE

PUBLIC SESSION: 06/15/2021

DATE

ITEM (CHECK ONE)

ORDINANCE CONDEMNATIONS GRANT ACCEPTANCE / AMENDMENT
 RESOLUTION GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 OTHER: _____

ITEM DESCRIPTION: A resolution approving an expansion of an auto auction facility planned development

CASE NUMBER: PD 2021-014

DEVELOPMENT: Memphis Auto Auction Planned Development

LOCATION: +/-1100 feet south of Winchester Road on the east and west sides of Prescott Road

COUNCIL DISTRICTS: District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Wilson Nelda D Spousal Access Trust and KE Investments / KE Investments

REPRESENTATIVE: Cory Brady of Integrated Land Solutions, PLLC

EXISTING ZONING: Residential Single-Family – 8 (R-8) and PD 18-28

REQUEST: Expansion of an auto auction facility planned development

AREA: +/-43.01 acres

RECOMMENDATION: The Office of Planning and Development recommended *Approval with conditions*
The Land Use Control Board recommended *Approval with conditions*

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**
Set hearing date for – June 15, 2021

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
 05/13/2021 _____ DATE
 (1) Land Use Control Board _____ ORGANIZATION - (1) BOARD / COMMISSION
 _____ (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____ REQUIRES CITY EXPENDITURE - (1) YES (2) NO
 \$ _____ AMOUNT OF EXPENDITURE
 \$ _____ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____ OPERATING BUDGET
 \$ _____ CIP PROJECT # _____
 \$ _____ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

<u>DATE</u>	<u>POSITION</u>
_____	PRINCIPAL PLANNER
_____	DEPUTY ADMINISTRATOR
_____	ADMINISTRATOR
_____	DIRECTOR (JOINT APPROVAL)
_____	COMPTROLLER
_____	FINANCE DIRECTOR
_____	CITY ATTORNEY
_____	CHIEF ADMINISTRATIVE OFFICER
_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

PD 2021-014 – Memphis Auto Auction Planned Development

Resolution requesting an expansion of an auto auction facility planned development located +/-1100 feet south of Winchester Road on the east and west sides of Prescott Road:

- This item is a resolution with conditions for a planned development to allow the above; and
- The Division of Planning & Development at the request of the Owner(s): Wilson Nelda D Spousal Access Trust and KE Investments; Applicant(s): KE Investments; and Representative(s): Cory Brady of Integrated Land Solutions, PLLC; and
- This resolution, if approved with conditions, will supersede the existing zoning for this property; and
- The item may require future public improvement contracts.

RESOLUTION APPROVING THE MEMPHIS AUTO AUCTION PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED +/-1100 FEET SOUTH OF WINCHESTER ROAD ON THE EAST AND WEST SIDES OF PRESCOTT ROAD, KNOWN AS CASE NUMBER PD 2021-014.

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a planned development for certain stated purposes in the various zoning districts; and

WHEREAS, the KE Investments filed an application with the Memphis and Shelby County Division of Planning and Development to allow an Expansion of an auto auction facility planned development; and

WHEREAS, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives and standards for planned developments as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Memphis and Shelby County Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on May 13, 2021, and said Board has submitted its findings and recommendation subject to outline plan conditions concerning the above considerations to the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a planned development is hereby granted in accordance with the attached outline plan conditions.

BE IT FURTHER RESOLVED, that the requirements of said aforementioned clause of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

ATTEST:

CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement

OUTLINE PLAN CONDITIONS

I. USES PERMITTED

A. Area A:

1. All principal and accessory uses permitted by right in the Employment (EMP) District, except the following uses shall be prohibited:
 - a) Adult oriented establishment
 - b) Permanent Off-Premise Advertising Signs
 - c) Amusements, Commercial Outdoor
 - d) Campground, Travel Trailer park
 - e) Drive-in Theatre
 - f) Tavern, Cocktail Lounge, Night Club
 - g) Brewery
 - h) Bus Terminal or Service Facility
 - i) Taxi Cab Dispatch Station
 - j) Garbage or Refuse Collection Service
 - k) Used Goods, Second Hand Sales
 - l) Chemical Manufacturing
 - m) Slaughtering Business
 - n) Beverage Recycling Center

2. An off-site Commercial Parking and Vehicle Storage Area is permitted for the storage and display of vehicles in support of the business operations located at 3719 Old Getwell Road (Parcel #073089 00020C). The commercial parking area may be used to serve the parking needs of other businesses that locate within the planned development. Storage of inoperable vehicles shall be permitted provided all vehicles are kept intact and no salvage may occur.

- #### B. Area B: Vehicular Sales, Surface Parking Lot, and Accessory Uses in accordance with Sub-Sections 2.9.4.F & J of the Unified Development Code shall be permitted. Any use not explicitly listed below shall be considered prohibited.

II. BULK REGULATIONS

The Unified Development Code bulk regulations for the EMP District shall apply as modified herein. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions shall apply.

A. Minimum Lot Area: 1-Acre (43,560 square feet)

B. Minimum Lot Width: 50-feet

C. Maximum Building Height: 45-feet

D. Minimum Building Setbacks:

1. Front (Abutting Prescott Road): 50-feet (All Areas)

2. Side and Rear (*abutting residential uses*):

Area A: 75-feet

Area B: 50-feet

*No building shall be permitted west of the TDEC Stream Buffer

3. Side (*abutting non-residential uses*): 10-feet (All Areas)

III. ACCESS, PARKING AND CIRCULATION

- A. Dedicate 34 feet from the centerline of Prescott Road on the east side. Dedicate 30 feet from the centerline of Prescott road on the west side.
- B. The design and location of curb cuts to be approved by the City Engineer.
- C. Off street parking and loading spaces shall conform Chapter 4.5 of the Unified Development Code as modified herein.
- D. All parking areas, excluding designated “vehicle storage” areas, shall be designed in accordance with Sub-Section 4.5.5D of the Unified Development Code.
- E. All parking areas, excluding designated “vehicle storage” areas must be surfaced with bituminous asphalt, concrete or other impervious pavement with a suitable stabilized subgrade approved by the City Engineer and maintained in a smooth, well-graded condition.
- F. Designated “vehicle storage” areas may be “non-surfaced” gravel lots in accordance with Paragraph 4.5.5C(2) of the Unified Development Code, subject to approval by the City Engineer, and where said lots are appropriately screened from the public right-of-way and adjacent residential land uses.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Chapter 4.6 of the Unified Development Code shall apply as modified herein.
- B. Perimeter Landscape Buffers (All Areas):
 - 1. Adjoining residential zoning designations: Unless otherwise specified, Landscape Plate L-1 shall be required along all perimeter boundaries adjoining adjacent residential uses.
 - 2. Detention shall be permitted within all perimeter landscape buffers. Where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.
 - 3. Where the planned development adjoins properties having established industrial land uses, no perimeter buffer shall be required, subject to administrative approval by the Division of Planning and Development.
 - 4. No additional plantings or berm shall be required where existing vegetation is preserved at a rate equivalent to the above specifications, subject to administrative review and approval by the Division of Planning and Development.
- C. Detention may be permitted within all perimeter landscape buffers and where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.

- D. Streetscape Plate A-4 Modified shall be installed along all Prescott Road frontages. Where no building or parking is located within 50-feet of the Prescott right-of-way, no berm shall be required, however, additional landscaping may be required in the absence of a berm.
- E. All parking areas, excluding areas designated as “vehicle storage,” shall be landscaped in accordance with Sub-Section 4.5.5D of the Unified Development Code.
- F. All parking areas designated as “vehicle storage” shall be exempt from the landscape requirements of Sub-Section 4.5.5D of the Unified Development Code.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VII. SIGNS

All proposed signage shall comply with Chapter 4.9 of the Unified Development Code in accordance with the EMP District regulations, in addition to the following:

- A. All detached signs shall be of the monument style.
- B. A roof sign may be allowed if it is incorporated as an architectural feature of the building, subject to administrative approval by the Division of Planning and Development.
- C. The following sign types shall be prohibited within the planned development: animated signs, permanent off-premise (billboard) signs, pole signs, portable signs, banners, streamers and balloons.

VIII. MISCELLANEOUS

- A. Phasing – the development of Area A may not proceed before Area B.
- B. No loudspeakers or outdoor speaker systems are permitted within the planned development.
- D. Buildings within the planned development should conform to a uniform architectural style.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserve for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- G. A photometric lighting plan.

AGENDA ITEM: 18

CASE NUMBER: PD 2021-014 **L.U.C.B. MEETING:** May 13, 2021

DEVELOPMENT: Memphis Auto Auction Planned Development

LOCATION: +/-1100 feet south of Winchester Rd. on the east and west sides of Prescott Rd.

COUNCIL DISTRICT: District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Wilson Nelda D Spousal Access Trust and KE Investments / KE Investments

REPRESENTATIVE: Integrated Land Solutions, PLLC – Cory Brady

REQUEST: Expansion of an auto auction facility planned development

AREA: +/-43.01 acres

EXISTING ZONING: Residential Single-Family – 8 (R-8) and PD 18-28

CONCLUSIONS

1. The applicant is requesting an auto auction facility planned development that will expand the borders and layout of the previously approved PD 18-28 concept plan.
2. Differences between this request and the approved PD 18-28 concept plan, see page 34 of this report, include adding an additional 4.98 acres in the northwest portion of the site, relocating the principal structure to the westside of Prescott, and adding additional vehicle storage spaces.
3. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.
4. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities are compatible with the surrounding land uses.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 26-27 of this report.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: Eastside of Prescott Road +/-1027.00 linear feet
Westside of Prescott Road +/-570.00 linear feet

Zoning Atlas Page: 2335 and 2340

Parcel ID: 073088 00016, 073088 00015, 073088 00014, 073088 00234, and part of parcel
073089 00020C

Existing Zoning: Residential Single-Family – 8 (R-8) and PD 18-28

NEIGHBORHOOD MEETING

The meeting was held at 6:00 PM on Thursday, April 29, 2021, on GoToMeeting.

PUBLIC NOTICE

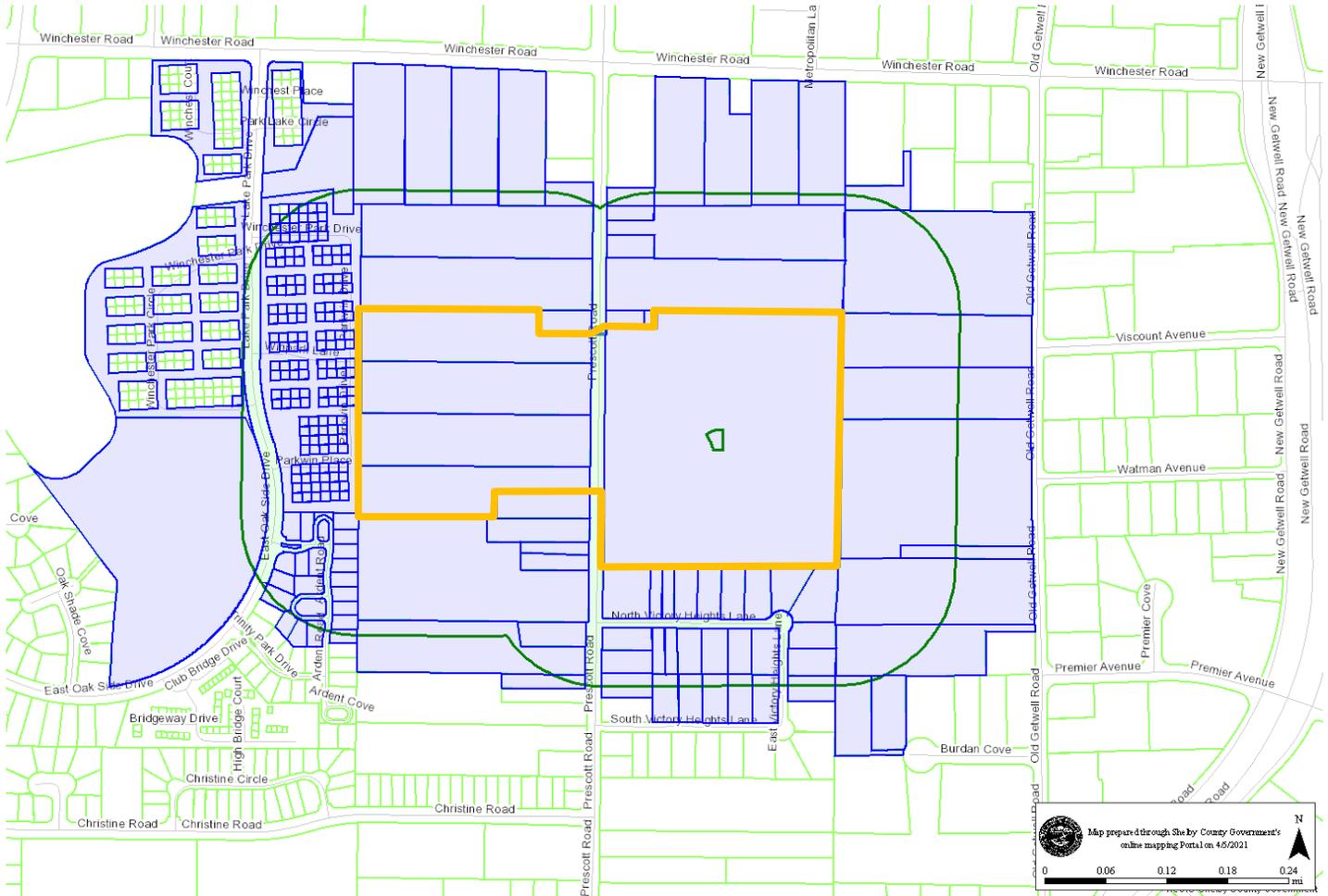
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 95 notices were mailed on April 28, 2021, and a total of 2 signs posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP



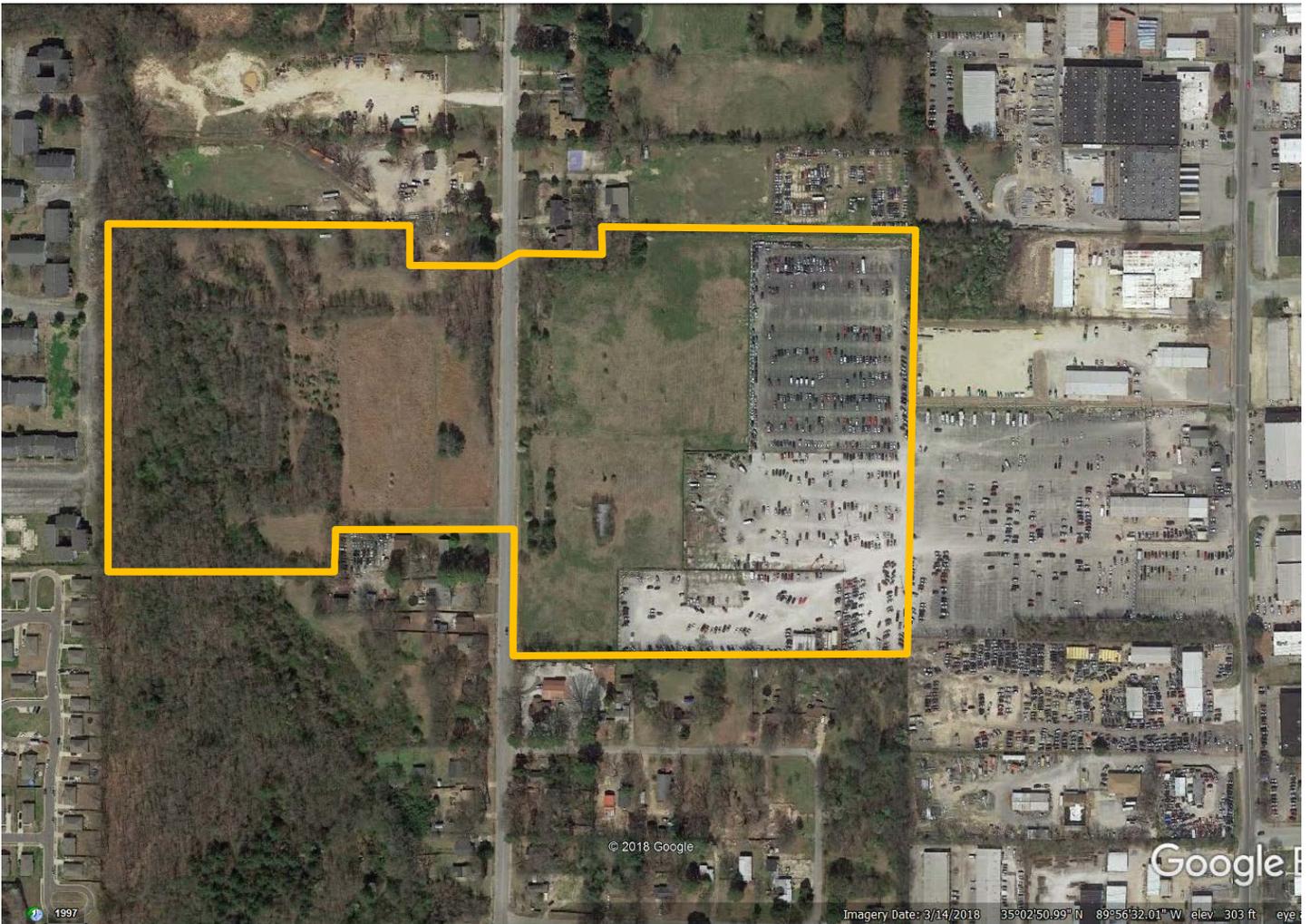
Subject property located within the pink circle, Oakhaven neighborhood

VICINITY MAP



Subject property highlighted in orange

AERIAL



Subject property outlined in orange, imagery from March 14, 2018

ZONING MAP



Subject property outlined in orange

Existing Zoning: Residential Single-Family – 8 (R-8)

Surrounding Zoning

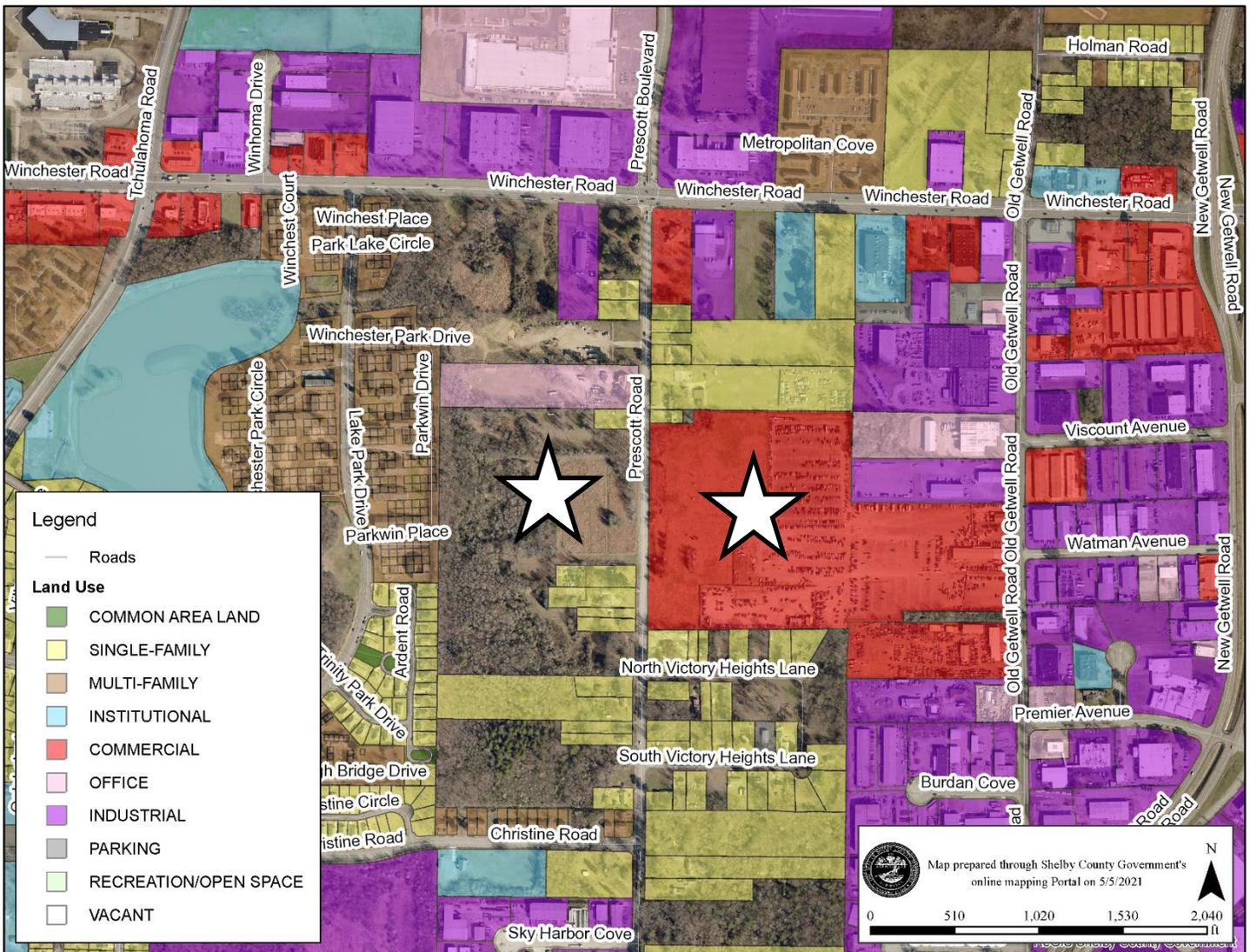
North: Residential Single-Family – 8 (R-8)

East: Employment (EMP)

South: Residential Single-Family – 8 (R-8)

West: Residential Urban – 3 (RU-3)

LAND USE MAP



Subject property outlined in electric blue indicated by white stars

SITE PHOTOS



View of southernmost point of subject property along the east side of Prescott Road looking northeast



View of southernmost point of subject property along the west side of Prescott Road looking northwest

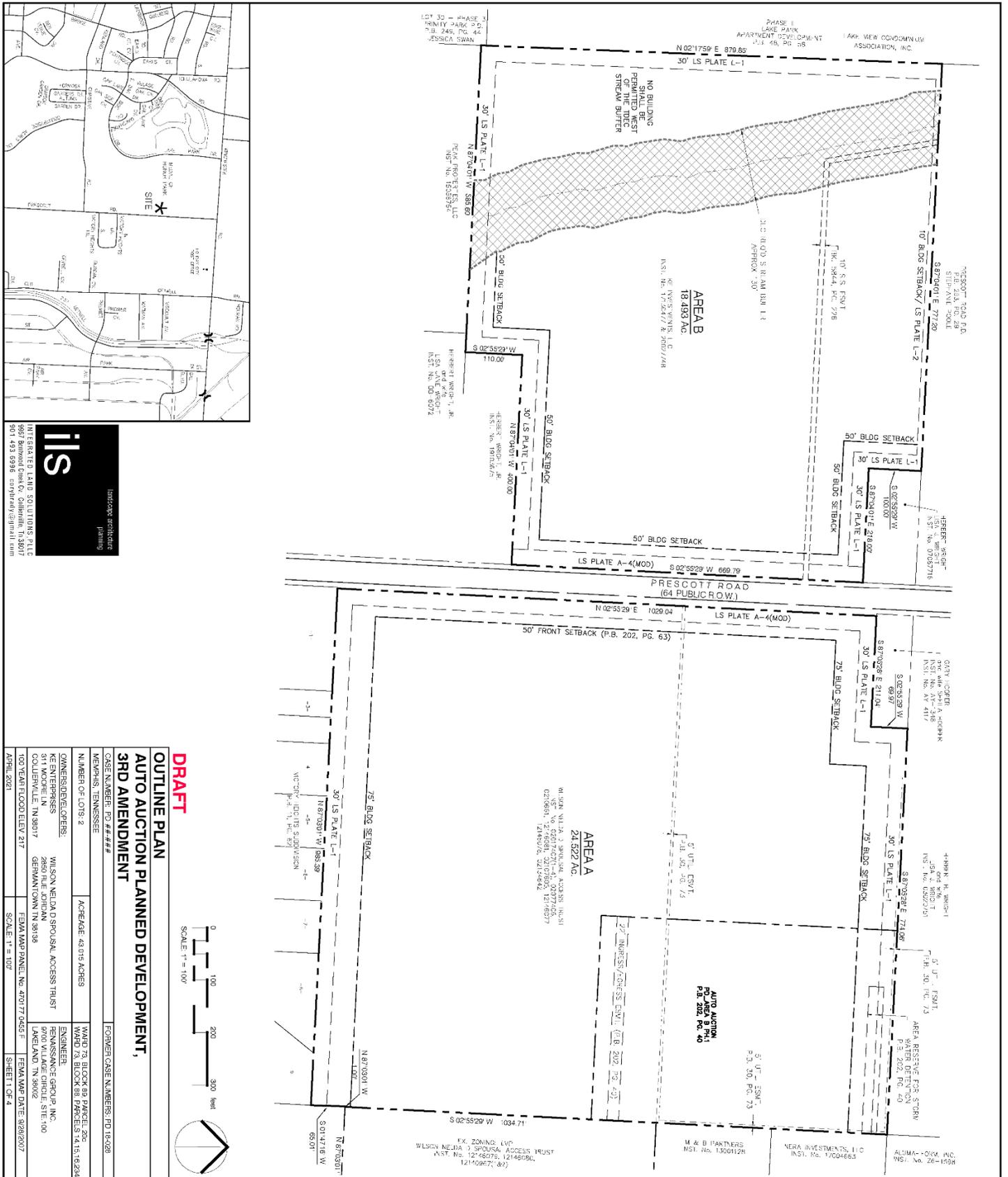


View of northernmost point of subject property along the east side of Prescott Road looking southeast



View of northernmost point of subject property along the west side of Prescott Road looking southwest

OUTLINE PLAN



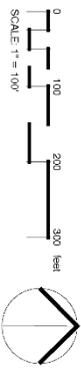
ils
 landscape architecture
 planning

INTERSECTION SOLUTIONS
 5907 Remond Forest Dr. Collierville, TN 38017
 901.493.8996 info@ilsna.com

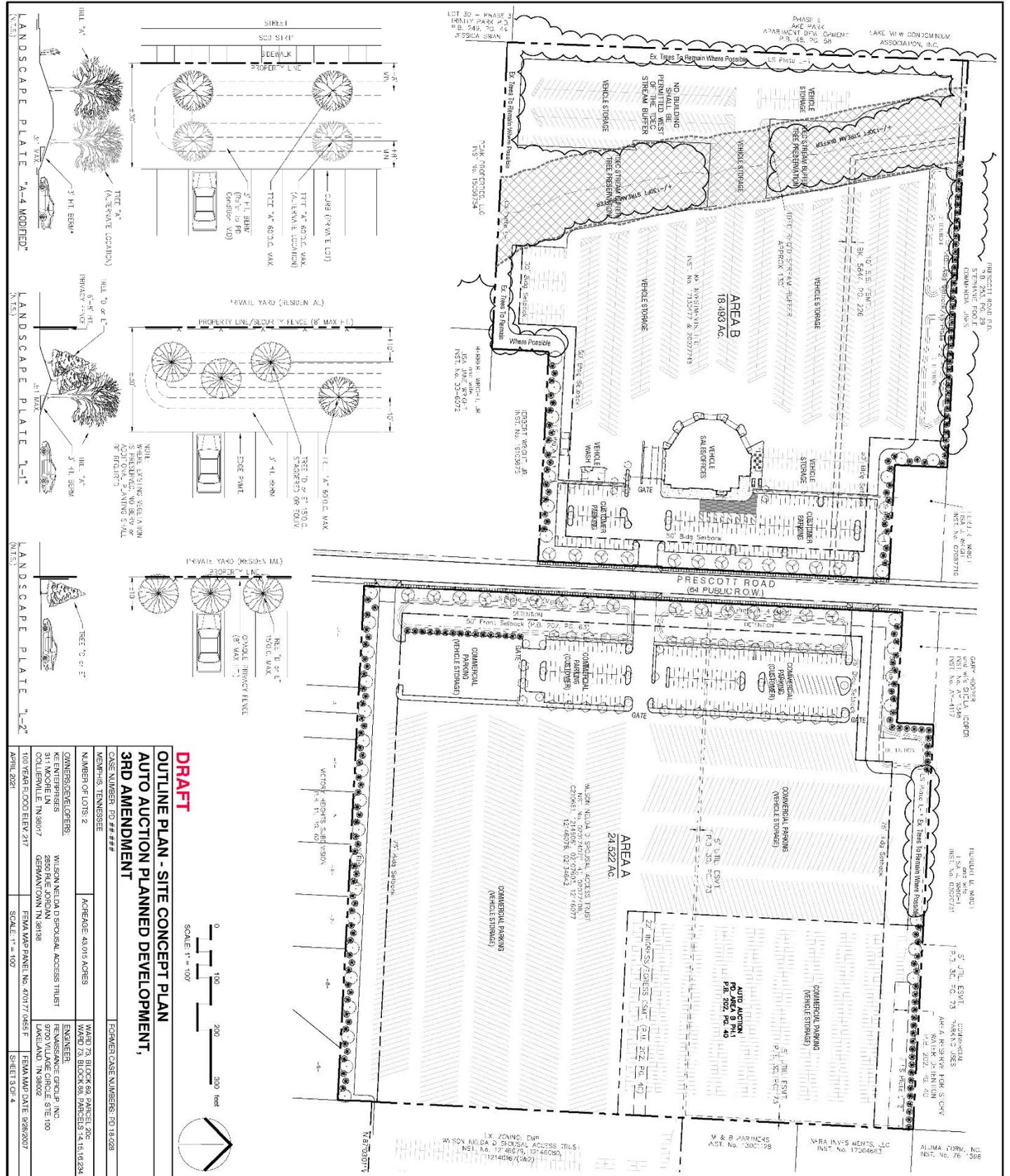
DRAFT

OUTLINE PLAN
AUTO AUCTION PLANNED DEVELOPMENT,
3RD AMENDMENT

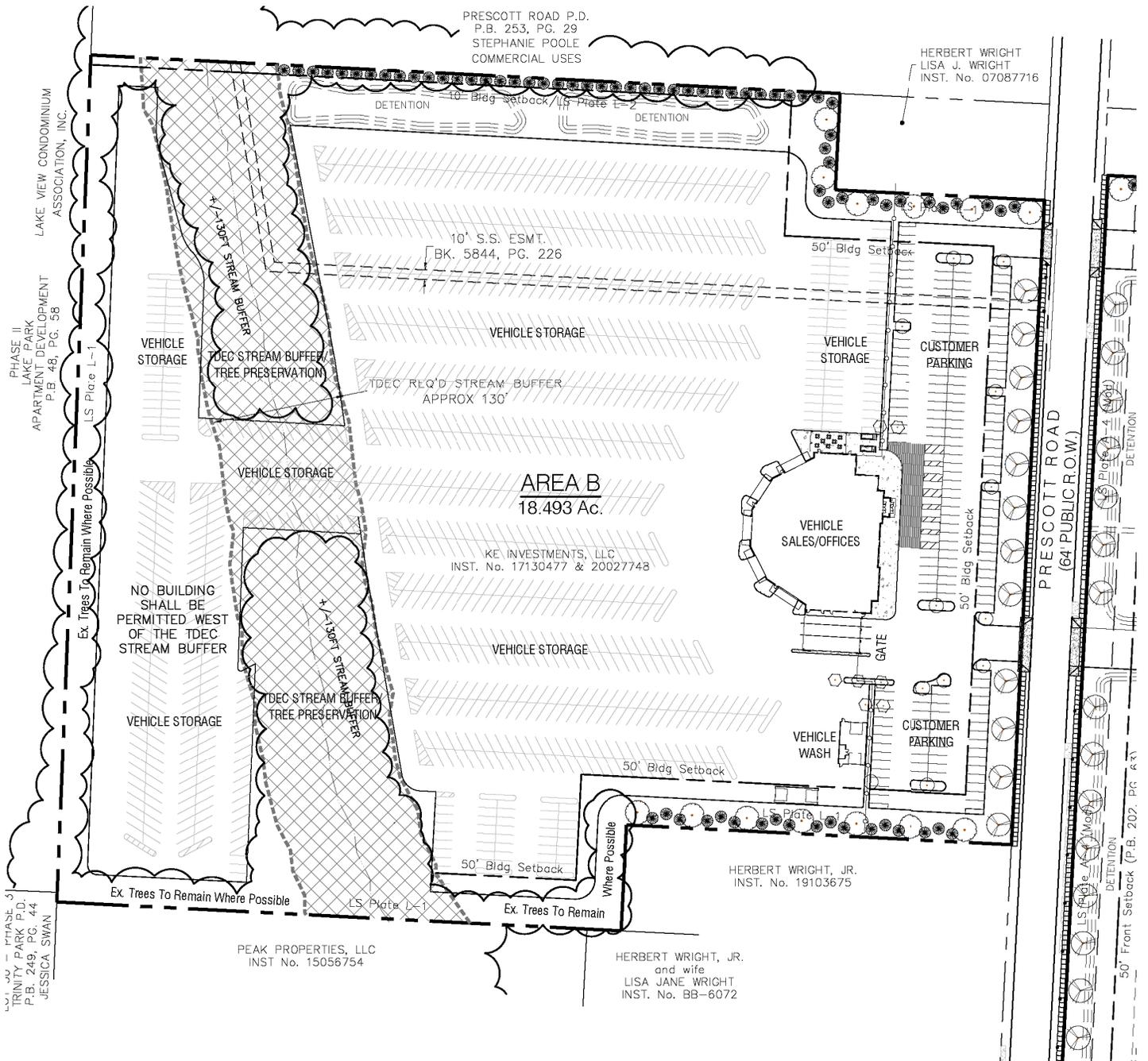
CASE NUMBER: PD ##-##-##	FORMER CASE NUMBERS: PD 16-028
MEMPHIS, TENNESSEE	
NUMBER OF LOTS: 2	WARD: 25 BLOCK: 88 PARCELS: 14, 15, 16, 23, 24
OWNER(S) OR OFFER(S)	ENGINEER:
KENT SPENCER	WILSON NIELSON SPONSAL ACCESS TRUST
911 WOODRUM LN	2850 RHEIDTAN
COLLIERVILLE, TN 38017	GERMANTOWN, TN 38196
100 YEAR FLOOD ELEV: 217'	EMA MAP PANEL: NG 40177 0455 F
APRIL 2021	EMA MAP DATE: 9/28/2007
	SCALE: 1" = 100'
	SHEET 1 OF 4



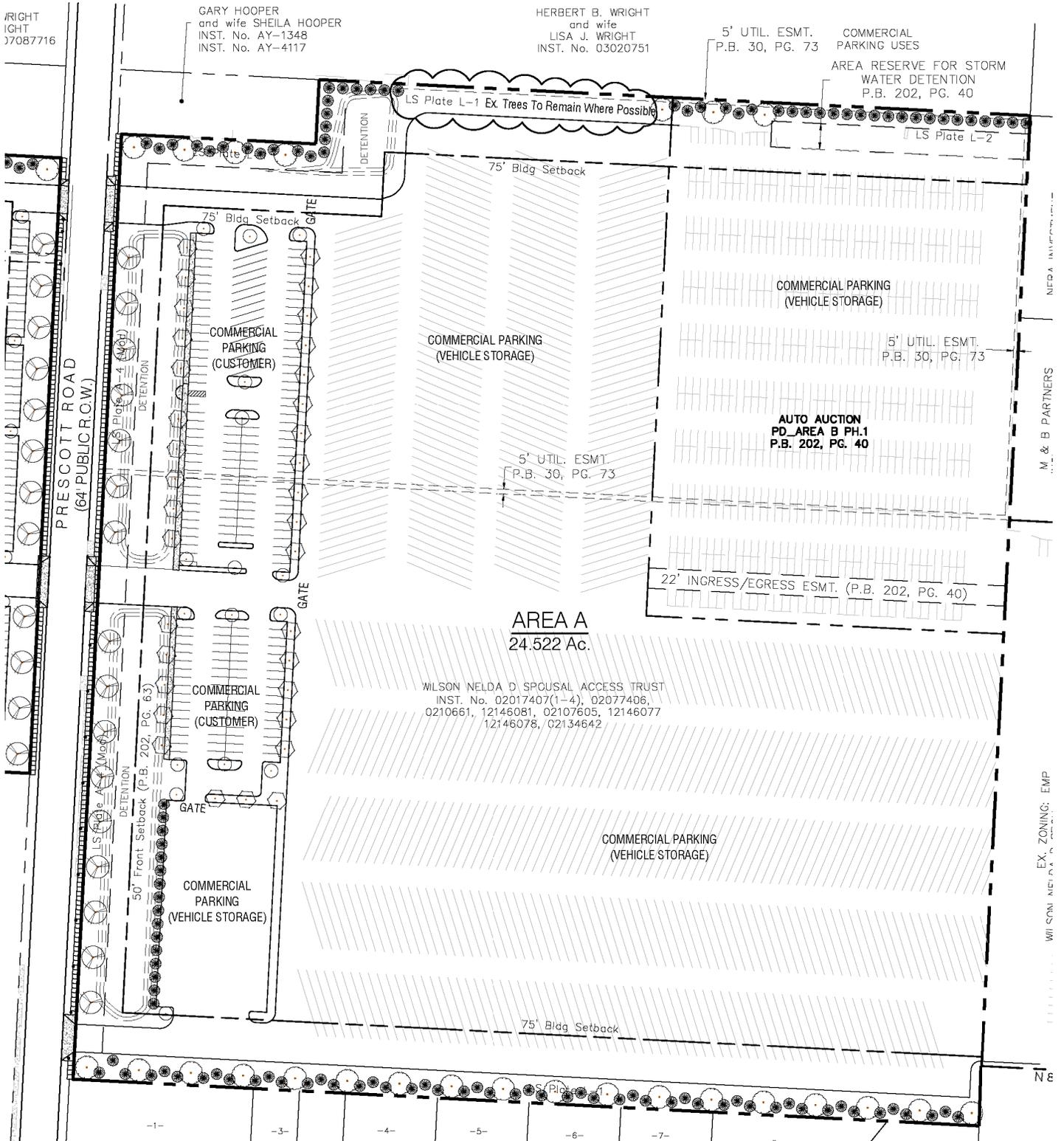
CONCEPT PLAN



CONCEPT PLAN – ZOOMED – WESTSIDE OF PRESCOTT



CONCEPT PLAN – ZOOMED – EASTSIDE OF PRESCOTT

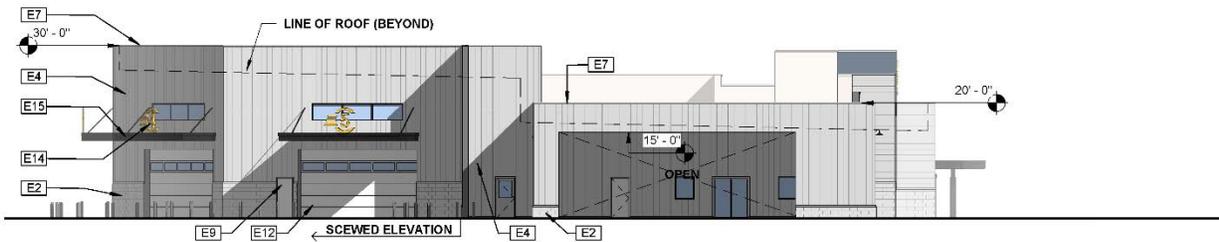


ELEVATIONS



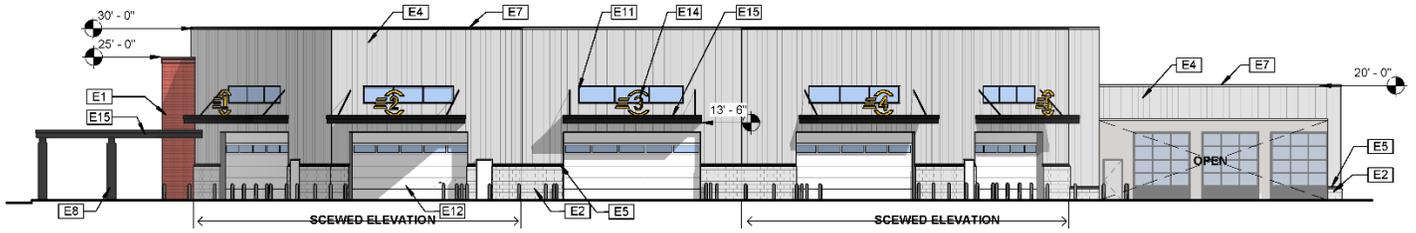
1 FRONT ELEVATION (FACING PRESCOTT)
 1/16" = 1'-0"

KEYNOTE LEGEND	
E1	BRICK VENEER-TYPE 1
E1.2	BRICK ROWLOCK OVER SOLDIER-TYPE 1
E2	STONE VENEER - TYPE 1
E3	HORIZONTAL CORRUGATED METAL - COLOR 01
E4	VERTICAL CORRUGATED METAL - COLOR 01
E5	METAL TRIM - COLOR 1
E6	ACM PANEL - COLOR 02
E8	ROUND METAL WRAP COLUMN - COLOR 03
E9	HOLLOW METAL DOOR AND FRAME - PAINT COLOR 01
E10	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM
E11	CHARCOAL ALUMINUM STOREFRONT SYSTEM
E13	VERTICAL OVERHEAD DOOR - COLOR 03
E14	BUILDING SIGNNAGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03



1 SIDE ELEVATION (SOUTH)
 1/16" = 1'-0"

KEYNOTE LEGEND	
E2	STONE VENEER - TYPE 1
E4	VERTICAL CORRUGATED METAL - COLOR 01
E7	PREFINISHED METAL COPING - COLOR 01
E9	HOLLOW METAL DOOR AND FRAME - PAINT COLOR 01
E12	VERTICAL OVERHEAD DOOR - COLOR 01
E14	BUILDING SIGNNAGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03



1 REAR ELEVATION (WEST)
 1/16" = 1'-0"

KEYNOTE LEGEND	
E1	BRICK VENEER-TYPE 1
E2	STONE VENEER - TYPE 1
E4	VERTICAL CORRUGATED METAL - COLOR 01
E5	METAL TRIM - COLOR 1
E7	PREFINISHED METAL COPING - COLOR 01
E8	ROUND METAL WRAP COLUMN - COLOR 03
E11	CHARCOAL ALUMINUM STOREFRONT SYSTEM
E12	VERTICAL OVERHEAD DOOR - COLOR 01
E14	BUILDING SIGNANGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03



1 SIDE ELEVATION (NORTH)
 1/16" = 1'-0"

KEYNOTE LEGEND	
E1	BRICK VENEER-TYPE 1
E1.2	BRICK ROWLOCK OVER SOLDIER-TYPE 1
E2	STONE VENEER - TYPE 1
E3	HORIZONTAL CORRUGATED METAL - COLOR 01
E4	VERTICAL CORRUGATED METAL - COLOR 01
E6	ACM PANEL - COLOR 02
E7	PREFINISHED METAL COPING - COLOR 01
E8	ROUND METAL WRAP COLUMN - COLOR 03
E9	HOLLOW METAL DOOR AND FRAME - PAINT COLOR 01
E10	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM
E11	CHARCOAL ALUMINUM STOREFRONT SYSTEM
E12	VERTICAL OVERHEAD DOOR - COLOR 01
E14	BUILDING SIGNANGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03

STAFF ANALYSIS

Request

The application, planned development general provisions, and letter of intent have been added to this report.

The request is for the expansion of an auto auction facility planned development

Applicability

Staff agrees the applicability standards and criteria as set out in Section 4.10.2 of the Unified Development Code are or will be met.

4.10.2 Applicability

The governing bodies may, upon proper application, grant a special use permit for a planned development (see Chapter 9.6) for a tract of any size within the City or for tracts of at least three acres in unincorporated Shelby County to facilitate the use of flexible techniques of land development and site design, by providing relief from district requirements designed for conventional developments, and may establish standards and procedures for planned developments in order to obtain one or more of the following objectives:

- A. Environmental design in the development of land that is of a higher quality than is possible under the regulations otherwise applicable to the property.*
- B. Diversification in the uses permitted and variation in the relationship of uses, structures, open space and height of structures in developments intended as cohesive, unified projects.*
- C. Functional and beneficial uses of open space areas.*
- D. Preservation of natural features of a development site.*
- E. Creation of a safe and desirable living environment for residential areas characterized by a unified building and site development program.*
- F. Rational and economic development in relation to public services.*
- G. Efficient and effective traffic circulation, both within and adjacent to the development site, that supports or enhances the approved transportation network.*
- H. Creation of a variety of housing compatible with surrounding neighborhoods to provide a greater choice of types of environment and living units.*
- I. Revitalization of established commercial centers of integrated design in order to encourage the rehabilitation of such centers in order to meet current market preferences.*
- J. Provision in attractive and appropriate locations for business and manufacturing uses in well-designed buildings and provision of opportunities for employment closer to residence with a reduction in travel time from home to work.*
- K. Consistency with the Memphis 3.0 General Plan.*

General Provisions

Staff agrees the general provisions standards and criteria as set out in Section 4.10.3 of the Unified Development Code are or will be met.

4.10.3 General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations of the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in this Chapter.

- A. *The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.*
- B. *An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.*
- C. *The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.*
- D. *Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.*
- E. *Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.*
- F. *Lots of record are created with the recording of a planned development final plan.*

Commercial or Industrial Criteria

Staff agrees the additional planned commercial or industrial development criteria as set out in Section 4.10.5 of the Unified Development Code are or will be met.

4.10.5 Planned Commercial or Industrial Developments

Approval of a planned commercial or industrial development may be issued by the governing bodies for buildings or premises to be used for the retail sale of merchandise and services, parking areas, office buildings, hotels and motels and similar facilities ordinarily accepted as commercial center uses and those industrial uses which can be reasonably be expected to function in a compatible manner with the other permitted uses in the area. In addition to the applicable standards and criteria set forth in Section 4.10.3, planned commercial or industrial developments shall comply with the following standards:

- A. *Screening*
When commercial or industrial structures or uses in a planned commercial or industrial development about a residential district or permitted residential buildings in the same development, screening may be required by the governing bodies.
- B. *Display of Merchandise*
All business, manufacturing and processing shall be conducted, and all merchandise and materials shall be displayed and stored, within a completely enclosed building or within an open area which is completely screened from the view of adjacent properties and public rights-of-way, provided, however, that when an automobile service station or gasoline sales are permitted in a planned commercial development, gasoline may be sold from pumps outside of a structure.
- C. *Accessibility*
The site shall be accessible from the proposed street network in the vicinity which will be adequate to carry the anticipated traffic of the proposed development. The streets and driveways on the site of the proposed development shall be adequate to serve the enterprises located in the proposed development.
- D. *Landscaping*
Landscaping shall be required to provide screening of objectionable views of uses and the reduction of noise. High-rise buildings shall be located within the development in such a way as to minimize any

adverse impact on adjoining low-rise buildings.

Approval Criteria

Staff agrees the approval criteria as set out in Section 9.6.9 of the Unified Development Code are being met.

9.6.9 Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

- A. The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.*
- B. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.*
- C. The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.*
- D. The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.*
- E. The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- F. The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.*
- G. The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.*
- H. Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.*

Site Description

The subject property is +/-43.01 acres located on the east and west side of Prescott Road approximately 1,100 feet south of Winchester Road and zoned Residential Single-Family – 8 and mostly within in the area existing boundaries of PD 18-28 (+/-38.593). The portion of the subject property west of Prescott Road is vacant land with vegetation and the portion of the subject property east of Prescott Road is approximately half vacant land with vegetation, slightly less than a quarter of surfaced parking, and slightly more than a quarter of non-surfaced parking.

Site Zoning History

PD 97-359 was an application by the same applicant of this pending request for a 7.5-acre auto auction facility on a portion of the subject property east of Prescott Road and the aforementioned case was approved by the Council of the City of Memphis on May 5, 1998. As part of this case Council approved the existing oil and rock seal surfaced parking lots with conditions of landscaping and screening, however, the applicant never filed a final plat nor made any of the required improvements, yet continued to operate and use said parking lots.

PD 02-307 was an application by the same applicant of this pending request to add an additional 12.13 acres to the approved 7.5 acres of PD 97-359 for a combined total of 19.63 acres for an auto auction facility on a portion of the subject property east of Prescott Road and the aforementioned case was approved by the Council of the City of Memphis on June 4, 2002 (see pages 10-11 of this report for the recorded concept plan; this is the current active concept plan). A final plan was filed in regard to this case (see pages 35-36 of this report). However, the applicant did not install the required landscaping and screening.

PD 02-343 was an application by the same applicant of this pending request to add an additional 4.98 acres to the previously approved 19.63 acres of PD 97-359 and PD 02-307 for a combined total of 24.61 acres for an auto auction facility that compromised the entire subject property east of Prescott Road and the aforementioned case was approved by the Council of the City of Memphis on January 7, 2003. This case has passed the required five-year time frame to record a final plat and as such the approval has expired.

PD 18-28 was an application by the same applicant of this pending request to +/-38.593 acres auto auction facility planned development and was approved by the Council of the City of Memphis on September 25, 2018, see pages 28-34 of this report for the attested resolution.

Conclusions

The applicant is requesting an auto auction facility planned development that will expand the borders and layout of the previously approved PD 18-28 concept plan.

Differences between this request and the approved PD 18-28 concept plan, see page 34 of this report, include adding an additional 4.98 acres in the northwest portion of the site, relocating the principal structure to the westside of Prescott, and adding additional vehicle storage spaces.

The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

The location and arrangement of the structures, parking areas, walks, lighting and other service facilities are compatible with the surrounding land uses.

RECOMMENDATION

Staff recommends approval with revisions to the outline plan conditions.

Outline Plan Conditions – Revisions

For the approved set of conditions from PD 18-28 see pages 28-34 of this report.

I. USES PERMITTED

A. Area A:

1. All principal and accessory uses permitted by right in the Employment (EMP) District, except the following uses shall be prohibited:
 - a) Adult oriented establishment
 - b) Permanent Off-Premise Advertising Signs

- c) Amusements, Commercial Outdoor
- d) Campground, Travel Trailer park
- e) Drive-in Theatre
- f) Tavern, Cocktail Lounge, Night Club
- g) Brewery
- h) Bus Terminal or Service Facility
- i) Taxi Cab Dispatch Station
- j) Garbage or Refuse Collection Service
- k) Used Goods, Second Hand Sales
- l) Chemical Manufacturing
- m) Slaughtering Business
- n) Beverage Recycling Center

2. An off-site Commercial Parking and Vehicle Storage Area is permitted for the storage and display of vehicles in support of the business operations located at 3719 Old Getwell Road (Parcel #073089 00020C). The commercial parking area may be used to serve the parking needs of other businesses that locate within the planned development. Storage of inoperable vehicles shall be permitted provided all vehicles are kept intact and no salvage may occur.

B. Area B: Vehicular Sales, Surface Parking Lot, and Accessory Uses in accordance with Sub-Sections 2.9.4.F & J of the Unified Development Code shall be permitted. Any use not explicitly listed below shall be considered prohibited.

II. BULK REGULATIONS

The Unified Development Code bulk regulations for the EMP District shall apply as modified herein. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions shall apply.

- A. Minimum Lot Area: 1-Acre (43,560 square feet)
- B. Minimum Lot Width: 50-feet
- C. Maximum Building Height: 45-feet
- D. Minimum Building Setbacks:
 - 1. Front (Abutting Prescott Road): 50-feet (All Areas)
 - 2. Side and Rear (*abutting residential uses*):
 - Area A: 75-feet
 - Area B: 50-feet
 - *No building shall be permitted west of the TDEC Stream Buffer
 - 3. Side (*abutting non-residential uses*): 10-feet (All Areas)

III. ACCESS, PARKING AND CIRCULATION

- A. Dedicate 34 feet from the centerline of Prescott Road on the east side. Dedicate 30 feet from the centerline of Prescott road on the west side.
- B. The design and location of curb cuts to be approved by the City Engineer.
- C. Off street parking and loading spaces shall conform Chapter 4.5 of the Unified Development Code as modified herein.
- D. All parking areas, excluding designated “vehicle storage” areas, shall be designed in accordance with Sub-Section 4.5.5D of the Unified Development Code.
- E. All parking areas, excluding designated “vehicle storage” areas must be surfaced with bituminous asphalt, concrete or other impervious pavement with a suitable stabilized subgrade approved by the City Engineer and maintained in a smooth, well-graded condition.
- F. Designated “vehicle storage” areas may be “non-surfaced” gravel lots in accordance with Paragraph 4.5.5C(2) of the Unified Development Code, subject to approval by the City Engineer, and where said lots are appropriately screened from the public right-of-way and adjacent residential land uses.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Chapter 4.6 of the Unified Development Code shall apply as modified herein.
- B. Perimeter Landscape Buffers (All Areas):
 - 1. Adjoining residential zoning designations: Unless otherwise specified, Landscape Plate L-1 shall be required along all perimeter boundaries adjoining adjacent residential uses.
 - 2. Detention shall be permitted within all perimeter landscape buffers. Where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.
 - 3. Where the planned development adjoins properties having established industrial land uses, no perimeter buffer shall be required, subject to administrative approval by the Division of Planning and Development.
 - 4. No additional plantings or berm shall be required where existing vegetation is preserved at a rate equivalent to the above specifications, subject to administrative review and approval by the Division of Planning and Development.
- C. Detention may be permitted within all perimeter landscape buffers and where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.

- D. Streetscape Plate A-4 Modified shall be installed along all Prescott Road frontages. Where no building or parking is located within 50-feet of the Prescott right-of-way, no berm shall be required, however, additional landscaping may be required in the absence of a berm.
- E. All parking areas, excluding areas designated as “vehicle storage,” shall be landscaped in accordance with Sub-Section 4.5.5D of the Unified Development Code.
- F. All parking areas designated as “vehicle storage” shall be exempt from the landscape requirements of Sub-Section 4.5.5D of the Unified Development Code.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VII. SIGNS

All proposed signage shall comply with Chapter 4.9 of the Unified Development Code in accordance with the EMP District regulations, in addition to the following:

- A. All detached signs shall be of the monument style.
- B. A roof sign may be allowed if it is incorporated as an architectural feature of the building, subject to administrative approval by the Division of Planning and Development.
- C. The following sign types shall be prohibited within the planned development: animated signs, permanent off-premise (billboard) signs, pole signs, portable signs, banners, streamers and balloons.

VIII. MISCELLANEOUS

- A. Phasing – the development of Area A may not proceed before Area B.
- B. No loudspeakers or outdoor speaker systems are permitted within the planned development.
- D. Buildings within the planned development should conform to a uniform architectural style.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserve for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- G. A photometric lighting plan.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City/County Engineer:

1. Standard Subdivision Contract or Street Cut Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewers are available to serve this development.
3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

Roads:

4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
5. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards,
6. Dedicate a five-foot property line radius at the intersection of Midland and Reese to accommodate the existing handicapped access ramp.
7. This development does not appear to be affected by a project that has been identified by TDOT or the MPO on the LTRP to receive future improvements. However, the applicant is advised to inquire with the MPO, MATA, TDOT and any adjacent railroad authority regarding any future projects that may impact this site.

Traffic Control Provisions:

8. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5-foot-wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5-foot clear pedestrian path, an exception may be considered.
9. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
10. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number fo projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for land Development of the

City of Memphis Division of Engineering Design and Policy Review Manual.

Curb Cuts/Access:

11. The City Engineer shall approve the design, number and location of curb cuts.
12. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

Drainage:

13. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis Drainage Design Manual.
14. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.

General Notes:

15. The width of all existing off-street sewer easements shall be widened to meet current city standards.
16. Consideration should be given to installing pedestrian crossing facilities if pedestrian trip generation warrants.

City/County Fire Division:

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

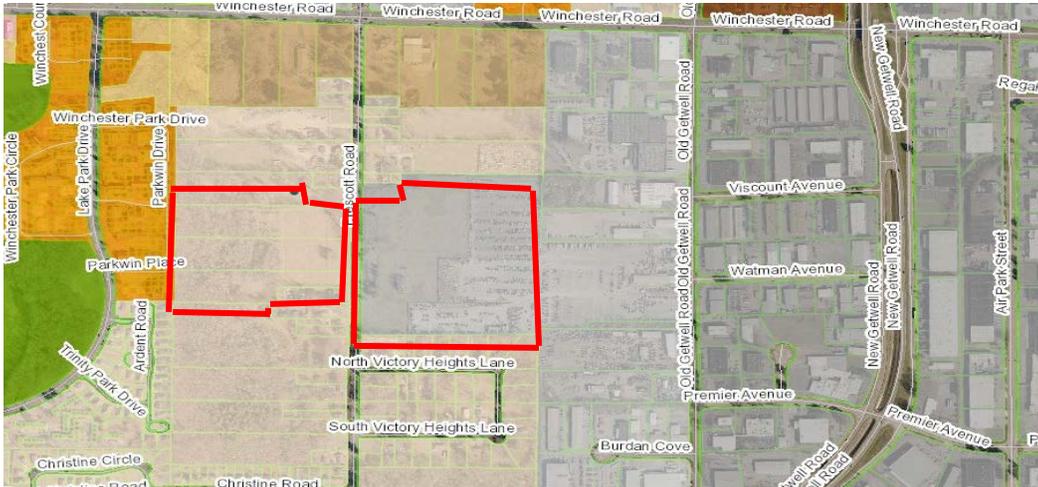
Memphis Light, Gas and Water: No comments received.

Office of Comprehensive Planning:

Land Use Designation: Primarily Single-Unit Neighborhood & Industrial Flex

Based on the future land use and degree of change map the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

1. FUTURE LAND USE PLANNING MAP



The red boxes indicate the application sites on the Future Land Use Map.

2. Land use description & applicability – Westside of Prescott

Primarily Single-Unit Neighborhoods are located greater than a half-mile outside of any anchor destination. These neighborhoods contain mostly detached, house scale residences, serving mostly single-family style living. This is considered the typical suburban community that is not as walkable or accessible from an anchor. See graphic portrayal to the right.



“NS Goals/Objectives:

Preservation/maintenance of existing single-family housing stock and neighborhoods.

“NS Form & Location Characteristics:

Primarily detached, house-scale buildings that are primarily residential, one to three stories in height and beyond ½ mile from a Community Anchor.

Land use description & applicability – Eastside of Prescott

Industrial Flex land allows for mixed-use, which makes this land versatile for development and employment as it is also not on conservation lands or floodplain. This area is lower intensity manufacturing, usually at the scale of one to three stories and can be located next to residential neighborhoods due to their low emissions of sound, light and air pollution. See graphic portrayal to the right.



“IF Goals/Objectives:

Evolution of single use industrial zones into mixed-use environments that are compatible with adjacent neighborhoods.

“IF Form & Location Characteristics:

Industrial with some commercial and service uses that are one to six stories in height.

3. Existing, Adjacent Land Use and Zoning – Westside of Prescott

The subject site is surrounded by the following land uses: residential, commercial, office, and vacant. The subject site is surrounded by the following zoning districts: R-8, RU-3, and RU-2, however, note that most of the existing site on the westside of Prescott is within the existing boundaries of PD 18-28 which allows for parking storage. This requested use is compatible with the adjacent land use because *existing land use surrounding the parcels is similar in nature to the requested use.*

Existing, Adjacent Land Use and Zoning – Eastside Prescott

The subject site is surrounded by the following land uses: industrial, vacant, residential. The subject site is surrounded by the following zoning districts: EMP and R-8. This requested use is compatible with the adjacent land use because *existing land use surrounding the parcels is similar in nature to the requested use.*

Consistency Analysis

The applicant is seeking an amendment to planned development to construct a building containing an indoor wholesale vehicle sales facility, offices and updated surface parking on the east and westsides of Prescott road +/-1,100 feet south of Winchester.

The request does not meet the criteria in the form of a detached, house scale residence on the westside of Prescott. The proposed building on the Prescott sites is no more than three stories and meets the height requirement.

Regarding the eastside of Prescott, updated surface parking for vehicle storage meets the requirement of a commercial or service use.

Overall given, the adjacent land uses, industrial nature of the surrounding area, and proposed building height at the Prescott, the overall development is consistent.

4. Degree of Change map



The red boxes indicate the application sites. There is no degree of change.

Based on the information provided, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

PD 18-28 ATTESTED RESOLUTION

RESOLUTION APPROVING THE MEMPHIS AUTO AUCTION PLANNED DEVELOPMENT AT THE SUBJECT PROPERTY LOCATED AT +/-1100 FEET SOUTH OF WINCHESTER ROAD ON THE EAST AND WEST SIDES OF PRESCOTT ROAD, KNOWN AS CASE NUMBER PD 18-28.

WHEREAS, Article 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a planned development for certain stated purposes in the various zoning districts; and

WHEREAS, the Memphis Auto Auction filed an application with the Memphis and Shelby County Office of Planning and Development, to allow an auto auction facility planned development; and

WHEREAS, the Office of Planning and Development has received and reviewed the application in accordance with procedures, objectives and standards for planned developments as set forth in Article 9.6.9 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation of approval subject to outline plan conditions concerning the above considerations to the Land Use Control Board; and

WHEREAS, the Memphis and Shelby County Land Use Control Board on Thursday, September 13, 2018, recommended approval of the request of the applicant subject to outline plan conditions; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on September 13, 2018 and has determined that said development meets the objectives, standards and criteria for a planned development, and said development is consistent with the public interests; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Office of Planning and Development; and

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that this planned development is hereby granted in accordance with the attached outline plan conditions; and

BE IT FURTHER RESOLVED, that the requirements of said aforementioned section of the Unified Development Code shall be deemed to have been complied with; that the outline plan shall bind the applicant, owner, mortgagee, if any, and the legislative body with respect to the contents of said plan; and the applicant and/or owner may file a final plan in accordance with said outline plan and the provisions of Section 9.6.11 of the Unified Development Code.

8

JPD
#1

ATTEST:

**CC: Office of Planning and Development – Land Use Controls ✓
Office of Construction Code Enforcement**

I hereby certify that the foregoing is a true copy
and document was adopted, approved by the
Council of the City of Memphis in regular
session on

Date SEP 25 2018

Valerie C. Sripes

Deputy Comptroller-Council Records

OUTLINE PLAN CONDITIONS
MEMPHIS AUTO AUCTION PLANNED DEVELOPMENT
PD 18-28

I. USES PERMITTED

A. (Area A) Any use permitted by right (X) and administrative site plan review (P) in the EMP District except the following uses shall be prohibited:

1. Adult entertainment
2. Off-premise Advertising Signs
3. Amusements, Commercial Outdoor
4. Campground, Travel Trailer park
5. Drive-in Theater
6. Tavern, Cocktail lounge, Night Club
7. Brewery
8. Bus Terminal or Service Facility
9. Taxi Cab Dispatch Station
10. Garbage or Refuse Collection Service
11. Used Goods, Second Hand Sales
12. Chemical Manufacturing
13. Slaughtering Business
14. Beverage Recycling Center

B. (Area B) Shall only be used as a surface parking lot to serve the facilities in Area A.

II. BULK REGULATION

The bulk regulations shall comply with the following standards:

A. Minimum Area Requirements.

1. An individual lot or building site shall be on (1) acre or more.

B. Minimum Yard Requirements

1. Minimum Front building setback abutting:
Prescott Road – 50 feet

2. Minimum Side and Rear building setback abutting property zoned or used for residential purposes:
Area A – 75 feet
Area B – 50 feet

3. Minimum Side and Rear building setback abutting property zoned or used for nonresidential purposes – 10 feet.

4. Minimum frontage on Street:
Public right-of-way – 100 feet

C. Maximum Height Limits

1. The maximum height permitted is 45 feet. This maximum height limitation shall follow the standards and allow the exceptions as described in Sub-Section 3.2.6A of the Unified Development Code.

D. Maximum Floor Area Ratio (FAR)

1. The total FAR of all structures shall not exceed 0.45.

III. ACCESS, PARKING AND CALCULATION

- A. Dedicate 34 feet from the centerline of Prescott Road on the east side. Dedicate 30 feet from the centerline of Prescott road on the west side.

- B. The design and location of curb cuts to be approved by the City Engineer.

- C. Off street parking and loading spaces shall conform to the Memphis and Shelby County Unified Development Code.

- G. All parking lots shall be paved with asphalt, concrete, or other hard surface dustless material in accordance with the Unified Development Code

IV. SCREENING

- A. Refuse containers, dumpsters, rooftop and outdoor HVAC equipment shall be screened with vegetation, fencing, or berms so they are not visible from any street or adjacent property. Buildings or structures abutting a residential zoning district or use shall also be appropriately screened via perimeter landscaping, as provided in Paragraph V below.

V. LANDSCAPING REQUIREMENTS

- A. A landscaping screen (30 feet wide) acceptable to the Office of Planning and Development shall be provided and maintained along Prescott Road frontage.

- B. A landscape screen shall be provided adjacent to residentially used or zoned property consisting of a 30-foot wide area incorporating a 5-foot tall berm and a combination of evergreen and deciduous shrubs and trees to form a nearly visually opaque screen or equivalent landscaping approved by the Office of planning and Development.

- C. The vehicle storage parking lot (east of the proposed building on the concept plan) shall require no internal landscaping.

- D. Customer parking area (Area B) and employee lot (Area A) shall meet the landscape requirements for

parking lots in the Unified Development Code.

VI. LIGHTING REQUIREMENTS

- A. The maximum height of standards shall not exceed 50 feet.
- B. Light shall not glare onto adjacent property.

VII. UNDERGROUND UTILITY LINES

- A. All utility lines such as electric, telephone, cable television or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VII. SIGNS

- A. The general sign regulations of the Unified Development Code shall apply in this planned development, in addition to the following:
 - 1. The minimum sign setback from any property line shall be 15 feet.
 - 2. All signs shall be either.
 - A.) Wall sign, not exceeding fifteen percent (15%) of the wall area up to 80 square feet; or
 - B.) Ground mounted signs, not exceeding ten (10) feet in height and 80 square feet.
 - 3. The following sign types shall be prohibited within the planned development: animated signs, permanent off-premise (billboard) signs, pole signs, portable signs, roof signs, banners, streamers and balloons.
 - 4. The designs, color, and material used for signs shall be compatible with the buildings which the signs serve.
 - 5. Location: Signs shall be set back a minimum of fifteen (15) feet from a public street, ten (10) feet from a private drive.

VIII. ARCHITECTURAL DESIGN GUIDELINES

- A. Buildings within the planned development should conform to a uniform architectural style.

IX. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs

showing the height, dimensions and design thereof.

E. The location and ownership, whether public or private, of any easement.

F. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserve for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.

G. A photometric lighting plan.

X. TIME LIMIT

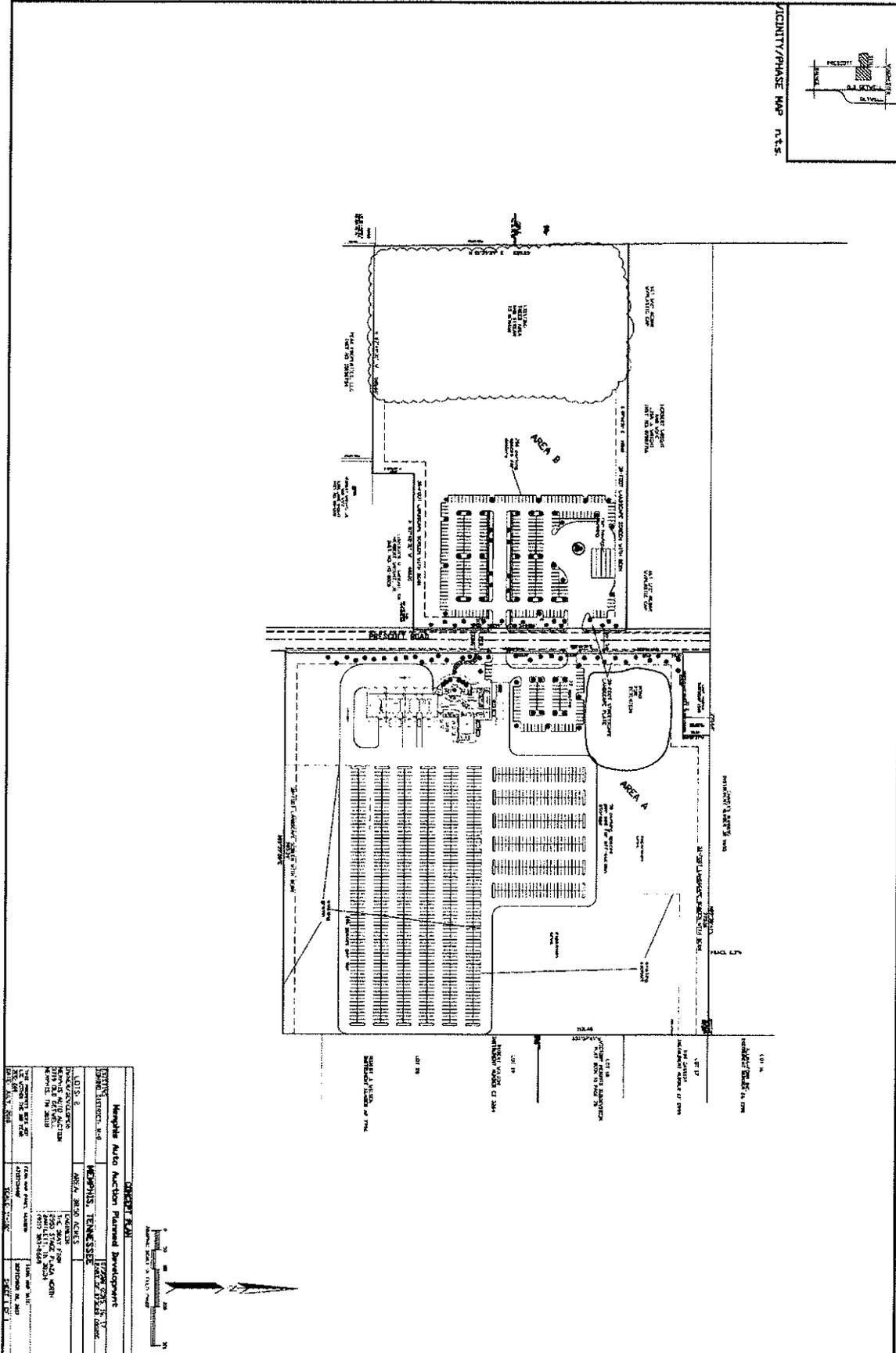
A final plat shall be filed within five (5) years of the approval of the Outline Plan by the City Council. Upon the request of the application of the Land Use Control Board may grant extension, subject to additional conditions and standards, if any. A request for a time extension shall be filed a minimum of 60 days prior to the extension date.

XI. OTHER REQUIREMENTS

A. Phasing – Development of Area B may not proceed before Area A.

B. No loudspeakers are permitted within the planned development.

CONCEPT PLAN



APPLICATION



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

**APPLICATION FOR PLANNED DEVELOPMENT APPROVAL
(OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

Date: April 8, 2021

Case #: _____

PLEASE TYPE OR PRINT

Name of Development: Memphis Auto Auction Planned Development

Property Owner of Record: Wilson Nelda D Spousal Access Trust/KE Investments, LLC Phone #: _____

Mailing Address: 2850 Rue Jordan/ 311 Moore Lane City/State: G'Town/Collierville/TN Zip 38138/38017

Property Owner E-Mail Address: _____

Applicant: KE Investments Phone # _____

Mailing Address: 311 More Lane City/State: Collierville/TN Zip 38017

Applicant E- Mail Address: _____

Representative: Cory Brady, PLA, AICP (Integrated Land Solutions, PLLC) Phone #: (901) 493-6996

Mailing Address: 9967 Bentwood Creek Cv. City/State: Collierville/TN Zip 38017

Representative E-Mail Address: corybrady@gmail.com

Engineer/Surveyor: Milestone Land Surveying, Inc. Phone # (901) 867-8671

Mailing Address: 2880 Cobb Road City/State: Lakeland/TN Zip 38002

Engineer/Surveyor E-Mail Address: ted.milestonels@gmail.com

Street Address Location: 3657 Prescott Rd. (Partially, Area B) and 3695 Old Getwell Rd (Partially, Area A)

Distance to nearest intersecting street: +/- 11,000 feet south of Winchester Rd., East and West sides of Prescott Rd.

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	(Area A) 24.52 Ac	(Area B) 18.49 Ac	_____
Existing Zoning:	R-8 (PD Overlay)	R-8	_____
Existing Use of Property	Commercial	Vacant	_____
Requested Use of Property	Commercial Parking	Retail & Vehicle Sales	_____

Medical Overlay District: Per Section 8.2.2D of the UDC, no Planned Developments are permitted in the Medical Overlay District.

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: _____ Bedrooms: _____

Expected Appraised Value per Unit: _____ or Total Project: _____

Amendment(s): Is the applicant applying for an amendment to an existing Planned Development?
Yes x No

The following modifications to existing planned developments are considered amendments: 1) a change to the permitted uses in a planned development, except in situations where a use of a higher classification is proposed to be changed to a use of a lower classification; 2) a modification to conditions that phases the uses, and 3) a conversion of public streets. See Section 9.6.11E(1) of the UDC for further details.

4.10.3 Planned Development General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations to the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in section 4.10.3:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

See attached correspondence. (Page 2 of Letter of Intent)

- An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

See attached correspondence. (Page 2 of Letter of Intent)

- The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses... (see UDC sub-section 4.10.3C)

See attached correspondence. (Page 2 of Letter of Intent)

- Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

See attached correspondence. (Page 2 of Letter of Intent)

- Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.

See attached correspondence. (Page 2 of Letter of Intent)

- Lots of records are created with the recording of a planned development final plan.

See attached correspondence. (Page 2 of Letter of Intent)

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

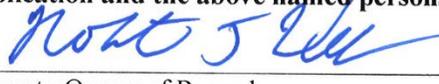
Pre-Application Conference held on: March 4, 2021 with Jeffrey Penzes

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2).

Neighborhood Meeting Requirement Met: Yes or Not Yet (Circle one)
(If yes, documentation must be included with application materials)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

I (we) hereby make application for the Planned Development described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

	<u>4-5-21</u>		<u>4-5-21</u>
Property Owner of Record	Date	Applicant	Date

**GUIDE FOR SUBMITTING
PLANNED DEVELOPMENT APPLICATION
(OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

- A. **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Outline and/or Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:
- 1) This application, 8.5"x11" Outline and/or Site/Concept Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Outline and/or Site/Concept Plan (folded), copy of Deed(s).
 - 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".
- B. **LETTER OF INTENT** - The letter shall include the following:
- a) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
 - b) A list of any professional consultants associated with the proposed development.
 - c) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed

LETTER OF INTENT

INTEGRATED LAND SOLUTIONS, pllc
planning ▪ design ▪ landscape architecture

April 8, 2021

Josh Whitehead, AICP
Administrator/Planning Director
Memphis and Shelby County Office of Planning and Development
125 North Main Street, Suite 468
Memphis, TN 38104

Re: Outline Plan Amendment
Auto Auction P.D. (Formerly PD 18-028)

Mr. Whitehead,

On behalf of the property owner and applicant, KE Investments, LLC, and in collaboration with the Renaissance Group, Inc., I am requesting an outline plan amendment to the Memphis Auto Auction Planned Development approved by the Memphis City Council September 25, 2018 (PD 28-028).

The subject property includes 43-acres located approximately 1100-feet south of Winchester Road along both sides of Prescott Road. The proposed amendment will facilitate a multi-million dollar site redevelopment plan to include a new indoor wholesale vehicle sales facility, associated offices, and updated surface parking areas.

The following amendments are sought:

1. The addition of approximately 4.52-acres along the north boundary of Area B of the Memphis Auto Auction Planned Development. Said property being owned by KE Investments, LLC (Parcel ID # 073088 00234/Inst. # 20027748);
2. The addition of Vehicular Sales and associated Accessory Uses as defined by UDC §2.9.4.J within Area B of the Memphis Auto Auction PD;
3. Improved landscape and screening specifications.

On behalf of KE Investments, LLC, I appreciate your consideration and look forward to discussing the project in more detail with Division of Planning and Development staff, Land Use Control Board members, and City Council representatives. A pre-application conference was held with Jeffrey Penzes, January 28, 2021. Please find enclosed the formal application and supplemental information necessary for your review. If you should have any questions, please do not hesitate to contact me. Thank you for your consideration of this request.

Respectfully,



Cory Brady, PLA, AICP
Integrated Land Solutions, pllc

INTEGRATED LAND SOLUTIONS, pllc

planning ▪ design ▪ landscape architecture

4.10.3 Planned Development General Provisions

1. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

Response: The proposed planned development amendment is a continuation of development entitlement established through prior approvals dating back to the late 1990s. With the exception of limited adjacent residential land uses, the surrounding properties are largely undeveloped or utilized as vehicle storage yards and/or contractor yards. Where the planned development adjoins established residential uses, previously approved landscape buffers that exceed the M/SC UDC requirements are required.

2. An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

Response: The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.

3. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.

Response: Acknowledged. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations

4. Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

Response: The project complies with all additional standards imposed on it by any particular provisions authorizing such use.

5. Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.

Response: Acknowledged. Sole ownership and privately maintained facilities.

6. Lots of records are created with the recording of a planned development final plan.

Response: Acknowledged

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Cory Brady, being duly sworn, depose and say that at 11:48a am/pm on the 23rd day of April, 2021, I posted 2 Public Notice Sign(s) pertaining to Case No. PD 21-014 at each Prescott Road frontages, providing notice of a Public Hearing before the X Land Use Control Board, X Memphis City Council, _____ Shelby County Board of Commissioners for consideration of a proposed Land Use Action (X Planned Development, _____ Special Use Permit, _____ Zoning District Map Amendment, _____ Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Cory Brady _____ Date 4/26/21
Owner, Applicant or Representative

Subscribed and sworn to before me this 26 day of April, 2021.

Madison Faulkner
Notary Public

My commission expires: August 20, 2023



LETTERS RECEIVED

No letters received at the time of completion of this report.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, May 13, 2021**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: PD 2021-014

DEVELOPMENT: Memphis Auto Auction Planned Development

LOCATION: +/-1100 feet south of Winchester Road on the east and west sides of Prescott Road

COUNCIL DISTRICT(S): District 3 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Wilson Nelda D Spousal Access Trust and KE Investments / KE Investments

REPRESENTATIVE: Cory Brady of Integrated Land Solutions, PLLC

REQUEST: Expansion of an auto auction facility planned development

EXISTING ZONING: Residential Single-Family – 8 (R-8) and PD 18-28

AREA: +/-43.01 acres

The following spoke in support of the application: None

The following spoke in opposition the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions.

The motion passed by a unanimous vote of 9-0 on the consent agenda.

Respectfully,



Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

**PD 2021-014
CONDITIONS**

Outline Plan Conditions

I. USES PERMITTED

A. Area A:

1. All principal and accessory uses permitted by right in the Employment (EMP) District, except the following uses shall be prohibited:
 - a) Adult oriented establishment
 - b) Permanent Off-Premise Advertising Signs
 - c) Amusements, Commercial Outdoor
 - d) Campground, Travel Trailer park
 - e) Drive-in Theatre
 - f) Tavern, Cocktail Lounge, Night Club
 - g) Brewery
 - h) Bus Terminal or Service Facility
 - i) Taxi Cab Dispatch Station
 - j) Garbage or Refuse Collection Service
 - k) Used Goods, Second Hand Sales
 - l) Chemical Manufacturing
 - m) Slaughtering Business
 - n) Beverage Recycling Center

2. An off-site Commercial Parking and Vehicle Storage Area is permitted for the storage and display of vehicles in support of the business operations located at 3719 Old Getwell Road (Parcel #073089 00020C). The commercial parking area may be used to serve the parking needs of other businesses that locate within the planned development. Storage of inoperable vehicles shall be permitted provided all vehicles are kept intact and no salvage may occur.

- B. Area B: Vehicular Sales, Surface Parking Lot, and Accessory Uses in accordance with Sub-Sections 2.9.4.F & J of the Unified Development Code shall be permitted. Any use not explicitly listed below shall be considered prohibited.**

II. BULK REGULATIONS

The Unified Development Code bulk regulations for the EMP District shall apply as modified herein. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions shall apply.

- A. Minimum Lot Area: 1-Acre (43,560 square feet)

- B. Minimum Lot Width: 50-feet

- C. Maximum Building Height: 45-feet

- D. Minimum Building Setbacks:

1. Front (Abutting Prescott Road): 50-feet (All Areas)
2. Side and Rear (*abutting residential uses*):
Area A: 75-feet
Area B: 50-feet
*No building shall be permitted west of the TDEC Stream Buffer
3. Side (*abutting non-residential uses*): 10-feet (All Areas)

III. ACCESS, PARKING AND CIRCULATION

- A. Dedicate 34 feet from the centerline of Prescott Road on the east side. Dedicate 30 feet from the centerline of Prescott road on the west side.
- B. The design and location of curb cuts to be approved by the City Engineer.
- C. Off street parking and loading spaces shall conform Chapter 4.5 of the Unified Development Code as modified herein.
- D. All parking areas, excluding designated “vehicle storage” areas, shall be designed in accordance with Sub-Section 4.5.5D of the Unified Development Code.
- E. All parking areas, excluding designated “vehicle storage” areas must be surfaced with bituminous asphalt, concrete or other impervious pavement with a suitable stabilized subgrade approved by the City Engineer and maintained in a smooth, well-graded condition.
- F. Designated “vehicle storage” areas may be “non-surfaced” gravel lots in accordance with Paragraph 4.5.5C(2) of the Unified Development Code, subject to approval by the City Engineer, and where said lots are appropriately screened from the public right-of-way and adjacent residential land uses.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Chapter 4.6 of the Unified Development Code shall apply as modified herein.
- B. Perimeter Landscape Buffers (All Areas):
 1. Adjoining residential zoning designations: Unless otherwise specified, Landscape Plate L-1 shall be required along all perimeter boundaries adjoining adjacent residential uses.
 2. Detention shall be permitted within all perimeter landscape buffers. Where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.
 3. Where the planned development adjoins properties having established industrial land uses, no perimeter buffer shall be required, subject to administrative approval by the Division of Planning and Development.

4. No additional plantings or berm shall be required where existing vegetation is preserved at a rate equivalent to the above specifications, subject to administrative review and approval by the Division of Planning and Development.

C. Detention may be permitted within all perimeter landscape buffers and where detention is proposed, a minimum 10-foot wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.

D. Streetscape Plate A-4 Modified shall be installed along all Prescott Road frontages. Where no building or parking is located within 50-feet of the Prescott right-of-way, no berm shall be required, however, additional landscaping may be required in the absence of a berm.

E. All parking areas, excluding areas designated as “vehicle storage,” shall be landscaped in accordance with Sub-Section 4.5.5D of the Unified Development Code.

F. All parking areas designated as “vehicle storage” shall be exempt from the landscape requirements of Sub-Section 4.5.5D of the Unified Development Code.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.

VI. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VII. SIGNS

All proposed signage shall comply with Chapter 4.9 of the Unified Development Code in accordance with the EMP District regulations, in addition to the following:

A. All detached signs shall be of the monument style.

B. A roof sign may be allowed if it is incorporated as an architectural feature of the building, subject to administrative approval by the Division of Planning and Development.

C. The following sign types shall be prohibited within the planned development: animated signs, permanent off-premise (billboard) signs, pole signs, portable signs, banners, streamers and balloons.

VIII. MISCELLANEOUS

A. Phasing – the development of Area A may not proceed before Area B.

- B. No loudspeakers or outdoor speaker systems are permitted within the planned development.
- D. Buildings within the planned development should conform to a uniform architectural style.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserve for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- G. A photometric lighting plan.

**MEMPHIS AND
SHELBY COUNTY**  **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

May 13, 2021

KE Investments
311 More Lane
Collierville, TN 38017

Sent via electronic mail to (applicant's representative): corybrady@gmail.com

Memphis Auto Auction Planned Development
Case Number: PD 2021-014
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, May 13, 2021, the Memphis and Shelby County Land Use Control Board recommended **approval** of your planned development amendment application for the Memphis Auto Auction Planned Development, subject to the attached conditions.

This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at jeffrey.penzes@memphistn.gov.

Respectfully,



Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Letter to Applicant
PD 2021-014

Cc: Cory Brady, Integrated Land Solutions, LLC
File

Letter to Applicant
PD 2021-014

Outline Plan Conditions

I. USES PERMITTED

A. Area A:

1. All principal and accessory uses permitted by right in the Employment (EMP) District, except the following uses shall be prohibited:
 - a) Adult oriented establishment
 - b) Permanent Off-Premise Advertising Signs
 - c) Amusements, Commercial Outdoor
 - d) Campground, Travel Trailer park
 - e) Drive-in Theatre
 - f) Tavern, Cocktail Lounge, Night Club
 - g) Brewery
 - h) Bus Terminal or Service Facility
 - i) Taxi Cab Dispatch Station
 - j) Garbage or Refuse Collection Service
 - k) Used Goods, Second Hand Sales
 - l) Chemical Manufacturing
 - m) Slaughtering Business
 - n) Beverage Recycling Center

2. An off-site Commercial Parking and Vehicle Storage Area is permitted for the storage and display of vehicles in support of the business operations located at 3719 Old Getwell Road (Parcel #073089 00020C). The commercial parking area may be used to serve the parking needs of other businesses that locate within the planned development. Storage of inoperable vehicles shall be permitted provided all vehicles are kept intact and no salvage may occur.

- B. Area B: Vehicular Sales, Surface Parking Lot, and Accessory Uses in accordance with Sub-Sections 2.9.4.F & J of the Unified Development Code shall be permitted. Any use not explicitly listed below shall be considered prohibited.**

II. BULK REGULATIONS

The Unified Development Code bulk regulations for the EMP District shall apply as modified herein. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions shall apply.

- A. Minimum Lot Area: 1-Acre (43,560 square feet)
- B. Minimum Lot Width: 50-feet
- C. Maximum Building Height: 45-feet
- D. Minimum Building Setbacks:
 1. Front (Abutting Prescott Road): 50-feet (All Areas)

Letter to Applicant
PD 2021-014

2. Side and Rear (*abutting residential uses*):
Area A: 75-feet
Area B: 50-feet
*No building shall be permitted west of the TDEC Stream Buffer

3. Side (*abutting non-residential uses*): 10-feet (All Areas)

III. ACCESS, PARKING AND CIRCULATION

- A. Dedicate 34 feet from the centerline of Prescott Road on the east side. Dedicate 30 feet from the centerline of Prescott road on the west side.
- B. The design and location of curb cuts to be approved by the City Engineer.
- C. Off street parking and loading spaces shall conform Chapter 4.5 of the Unified Development Code as modified herein.
- D. All parking areas, excluding designated “vehicle storage” areas, shall be designed in accordance with Sub-Section 4.5.5D of the Unified Development Code.
- E. All parking areas, excluding designated “vehicle storage” areas must be surfaced with bituminous asphalt, concrete or other impervious pavement with a suitable stabilized subgrade approved by the City Engineer and maintained in a smooth, well-graded condition.
- F. Designated “vehicle storage” areas may be “non-surfaced” gravel lots in accordance with Paragraph 4.5.5C(2) of the Unified Development Code, subject to approval by the City Engineer, and where said lots are appropriately screened from the public right-of-way and adjacent residential land uses.

IV. LANDSCAPING AND SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in Chapter 4.6 of the Unified Development Code shall apply as modified herein.
- B. Perimeter Landscape Buffers (All Areas):
 1. Adjoining residential zoning designations: Unless otherwise specified, Landscape Plate L-1 shall be required along all perimeter boundaries adjoining adjacent residential uses.
 2. Detention shall be permitted within all perimeter landscape buffers. Where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.
 3. Where the planned development adjoins properties having established industrial land uses, no perimeter buffer shall be required, subject to administrative approval by the Division of Planning and Development.

Letter to Applicant

PD 2021-014

4. No additional plantings or berm shall be required where existing vegetation is preserved at a rate equivalent to the above specifications, subject to administrative review and approval by the Division of Planning and Development.
 - C. Detention may be permitted within all perimeter landscape buffers and where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications, subject to administrative approval by the Division of Planning and Development.
 - D. Streetscape Plate A-4 Modified shall be installed along all Prescott Road frontages. Where no building or parking is located within 50-feet of the Prescott right-of-way, no berm shall be required, however, additional landscaping may be required in the absence of a berm.
 - E. All parking areas, excluding areas designated as “vehicle storage,” shall be landscaped in accordance with Sub-Section 4.5.5D of the Unified Development Code.
 - F. All parking areas designated as “vehicle storage” shall be exempt from the landscape requirements of Sub-Section 4.5.5D of the Unified Development Code.
- V. LIGHTING REQUIREMENTS
All outdoor site lighting shall comply with Chapter 4.7 of the Unified Development Code.
- VI. UNDERGROUND UTILITY LINES
All utility lines such as electric, telephone, cable television, or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.
- VII. SIGNS
All proposed signage shall comply with Chapter 4.9 of the Unified Development Code in accordance with the EMP District regulations, in addition to the following:
- A. All detached signs shall be of the monument style.
 - B. A roof sign may be allowed if it is incorporated as an architectural feature of the building, subject to administrative approval by the Division of Planning and Development.
 - C. The following sign types shall be prohibited within the planned development: animated signs, permanent off-premise (billboard) signs, pole signs, portable signs, banners, streamers and balloons.
- VIII. MISCELLANEOUS
- A. Phasing – the development of Area A may not proceed before Area B.

Letter to Applicant

PD 2021-014

- B. No loudspeakers or outdoor speaker systems are permitted within the planned development.
- D. Buildings within the planned development should conform to a uniform architectural style.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

- A. The approved outline plan conditions.
- B. A standard subdivision contract for any needed public improvements.
- C. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
- D. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions and design thereof.
- E. The location and ownership, whether public or private, of any easement.
- F. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserve for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
- G. A photometric lighting plan.



Memphis and Shelby County
Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

**APPLICATION FOR PLANNED DEVELOPMENT APPROVAL
 (OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

Date: April 8, 2021

Case #: _____

PLEASE TYPE OR PRINT

Name of Development: Memphis Auto Auction Planned Development

Property Owner of Record: Wilson Nelda D Spousal Access Trust/KE Investments, LLC Phone #: _____

Mailing Address: 2850 Rue Jordan/ 311 Moore Lane City/State: G'Town/Collierville/TN Zip 38138/38017

Property Owner E-Mail Address: _____

Applicant: KE Investments Phone # _____

Mailing Address: 311 More Lane City/State: Collierville/TN Zip 38017

Applicant E- Mail Address: _____

Representative: Cory Brady, PLA, AICP (Integrated Land Solutions, PLLC) Phone #: (901) 493-6996

Mailing Address: 9967 Bentwood Creek Cv. City/State: Collierville/TN Zip 38017

Representative E-Mail Address: corybrady@gmail.com

Engineer/Surveyor: Milestone Land Surveying, Inc. Phone # (901) 867-8671

Mailing Address: 2880 Cobb Road City/State: Lakeland/TN Zip 38002

Engineer/Surveyor E-Mail Address: ted.milestonels@gmail.com

Street Address Location: 3657 Prescott Rd. (Partially, Area B) and 3695 Old Getwell Rd (Partially, Area A)

Distance to nearest intersecting street: +/- 11,000 feet south of Winchester Rd., East and West sides of Prescott Rd.

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>(Area A) 24.52 Ac</u>	<u>(Area B) 18.49 Ac</u>	_____
Existing Zoning:	<u>R-8 (PD Overlay)</u>	<u>R-8</u>	_____
Existing Use of Property	<u>Commercial</u>	<u>Vacant</u>	_____
Requested Use of Property	<u>Commercial Parking</u>	<u>Retail & Vehicle Sales</u>	_____

Medical Overlay District: Per Section 8.2.2D of the UDC, no Planned Developments are permitted in the Medical Overlay District.

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: _____ Bedrooms: _____

Expected Appraised Value per Unit: _____ or Total Project: _____

Amendment(s): Is the applicant applying for an amendment to an existing Planned Development?

Yes No

The following modifications to existing planned developments are considered amendments: 1) a change to the permitted uses in a planned development, except in situations where a use of a higher classification is proposed to be changed to a use of a lower classification; 2) a modification to conditions that phases the uses, and 3) a conversion of public streets. See Section 9.6.11E(1) of the UDC for further details.

4.10.3 Planned Development General Provisions

The governing bodies may grant a special use permit for a planned development which modifies the applicable district regulations and other regulations of this development code upon written findings and recommendations to the Land Use Control Board and the Planning Director which shall be forwarded pursuant to provisions contained in section 4.10.3:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.
See attached correspondence. (Page 2 of Letter of Intent)

- An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.
See attached correspondence. (Page 2 of Letter of Intent)

- The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses... (see UDC sub-section 4.10.3C)
See attached correspondence. (Page 2 of Letter of Intent)

- Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.
See attached correspondence. (Page 2 of Letter of Intent)

- Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.
See attached correspondence. (Page 2 of Letter of Intent)

- Lots of records are created with the recording of a planned development final plan.
See attached correspondence. (Page 2 of Letter of Intent)

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: March 4, 2021 with Jeffrey Penzes

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2).

Neighborhood Meeting Requirement Met: Yes or Not Yet (Circle one)
(If yes, documentation must be included with application materials)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

I (we) hereby make application for the Planned Development described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Robert J. [Signature] 4-5-21 [Signature] 4-5-21
Property Owner of Record Date Applicant Date

**GUIDE FOR SUBMITTING
PLANNED DEVELOPMENT APPLICATION
(OUTLINE PLAN APPROVAL/OUTLINE PLAN AMENDMENT)**

- A. **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Outline and/or Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:
 - 1) This application, 8.5"x11" Outline and/or Site/Concept Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24" Outline and/or Site/Concept Plan (folded), copy of Deed(s).
 - 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

- B. **LETTER OF INTENT** - The letter shall include the following:
 - a) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
 - b) A list of any professional consultants associated with the proposed development.
 - c) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed

development is to be designed, arranged and operated in order to limit impact to neighboring properties.

- d) A description of the applicant's planning objectives, the approaches to be followed in achieving those objectives.

C. **OUTLINE PLAN**

1) Two (2) copies of an Outline Plan shall be submitted and drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres. If property is encumbered by easements, show type and location on plot plan.

2) Two (2) copies of legal description shall be attached to plot plan if not shown or described on the plan

- D. **SITE/CONCEPT PLAN** – Two (2) copies of the site/concept plan shall be submitted and depict the following: (a) property boundary lines and dimensions, existing utilities and easements, roadways, rail lines and public rights-of-way, crossing adjacent to the subject property; (b) the proposed height, dimensions and arrangements of buildings on the property; (c) the type and location of proposed landscaping; (d) the location of points of ingress/egress (driveways), parking lots and loading areas on the site; and (e) any proposed substantial re-grading of the site and any significant topographical or physical features of the site including water courses or ponds. Site/Concept plans shall be drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres.

- E. **ELEVATIONS** – Two (2) copies of building elevations *may* be required upon request by the Office of Planning and Development. Factors that will be taken into consideration by the Office of Planning and Development in its determination that building elevations are required are surrounding land uses, frontage requirements and proximity of the requested building(s) to the public right-of-way.

F. **VICINITY MAP**

Two (2) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.

G. **LIST OF NAMES AND ADDRESSES**

1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2^{5/8}" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.

2) Two (2) self-adhesive mailing labels (1"x 2^{5/8}") each for the owner of record, applicant, representative and/or engineer/surveyor.

H. **FILING FEES** (*All Fees Are Subject To Change without Prior Notice*)

1) Planned Development: 5.0 Acres or less=\$1,500. Each additional acre or fraction thereof =\$100, Maximum =\$10,000. Make check payable to "M/SC Office of Planning and Development"

***ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF**

OUTLINE PLAN CONDITIONS
MEMPHIS AUTO AUCTION PLANNED DEVELOPMENT
3rd AMENDMENT

I. USES PERMITTED

A. Area A:

1. All principal and accessory uses permitted by right in the EMP district EXCEPT the following uses shall be PROHIBITED:

Adult oriented establishment
Permanent Off-Premise Advertising Signs
Amusements, Commercial Outdoor
Campground, Travel Trailer park
Drive-in Theatre
Tavern, Cocktail Lounge, Night Club
Brewery
Bus Terminal or Service Facility
Taxi Cab Dispatch Station
Garbage or Refuse Collection Service
Used Goods, Second Hand Sales
Chemical Manufacturing
Slaughtering Business
Beverage Recycling Center

2. An off-site Commercial Parking and Vehicle Storage Area is permitted for the storage and display of vehicles in support of the business operations located at 3719 Old Getwell Road (Parcel #073089 00020C). The commercial parking area may be used to serve the parking needs of other businesses that locate within the planned development. Storage of inoperable vehicles shall be permitted provided all vehicles are kept intact and no salvage may occur. Refer to Auto Auction PD, Part of Area B Phase 1, recorded in PB 202, PG 40 of the Register's Office.

B. Area B:

Vehicular Sales, Surface Parking Lot, and Accessory Uses in accordance with UDC§2.9.4.F&J shall be PERMITTED.

II. BULK REGULATIONS

The M/SC Unified Development Code Bulk Regulations for the EMP zoning district and Midtown District Overlay shall apply as modified herein. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions shall apply.

- A. Minimum Lot Area: 1-Acre (43,560sf)
- B. Minimum Lot Width: 50-feet
- C. Maximum Building Height: 60-feet
- D. Minimum Building Setbacks:
 1. Front (Abutting Prescott Road): 50-feet (All Areas)
 2. Side and Rear (Abutting Residential Uses):
 - Area A: 75-feet
 - Area B: 50-feet
 *No building shall be permitted west of the TDEC Stream Buffer
 3. Side (Abutting Non-residential): 10-feet (All Areas)

III. ACCESS, PARKING AND CIRCULATION

- A. Dedicate 34 feet from the centerline of Prescott Road on the east side. Dedicate 30 feet from the centerline of Prescott road on the west side.
- B. The design and location of curb cuts to be approved by the City Engineer.
- C. Off street parking and loading spaces shall conform §4.5 of the M/SC Unified Development Code as modified herein.
- D. All parking areas, excluding designated "Vehicle Storage" areas, shall be designed in accordance with §4.5.5.D of the M/SC Unified Development Code.
- E. All parking areas, excluding designated "Vehicle Storage" areas must be surfaced with bituminous asphalt, concrete or other impervious pavement with a suitable stabilized subgrade approved by the City or County Engineer and maintained in a smooth, well-graded condition.
- F. Designated "Vehicle Storage" areas may be "non-surfaced" gravel lots in accordance with §4.5.5.C.2 of the M/SC Unified Development Code and where said lots are appropriately screened from the public right-of-way and adjacent residential land uses.

IV. LANDSCAPING and SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in §4.6 of the M/SC Unified Development Code shall apply as modified herein.
- B. Perimeter Landscape Buffers (All Areas):
 1. Adjoining residential zoning designations:
 - Unless otherwise specified, Landscape Plate L-1 shall be required along all perimeter boundaries adjoining adjacent residential uses.
 2. Where the planned development adjoins properties having established commercial and/or industrial land uses, no perimeter buffer shall be required.
 3. (Area B) Landscape Plate L-2 shall be required along the planned development's north boundary adjacent to the Prescott Rd PD recorded in PB 253, PG. 29.
 4. No additional plantings or berm shall be required where existing vegetation is preserved at a rate equivalent to the above specifications.
- C. Detention shall be permitted within all perimeter landscape buffers. Where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications.
- D. Streetscape Plate A-4 Modified shall be installed along all Prescott Road frontages. Where no building or parking is located within 30-feet of the Prescott right-of-way, no berm shall be required.
- E. All Commercial Parking Areas, excluding area designated as "Vehicle Storage", shall be landscaped in accordance with §4.5.5.D of the M/SC Unified Development Code.
- F. All parking areas designated as "Vehicle Storage" shall be exempt from the §4.5.5.D landscape requirements.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with §4.7 of the M/SC Unified Development Code.

VI. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VII. SIGNS

All proposed signage shall comply with §4.9 of the M/SC Unified Development Code in accordance with the EMP district regulations.

VIII. MISCELLANEOUS

- A. Phasing - Development of Area A may not proceed before Area B.
- B. No loudspeakers are permitted within the planned development.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

1. The approved outline plan conditions.
2. A standard subdivision contract for any needed public improvements.
3. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
4. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions and design thereof.
5. The location and ownership, whether public or private, of any easement.
6. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserve for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
7. A photometric lighting plan.

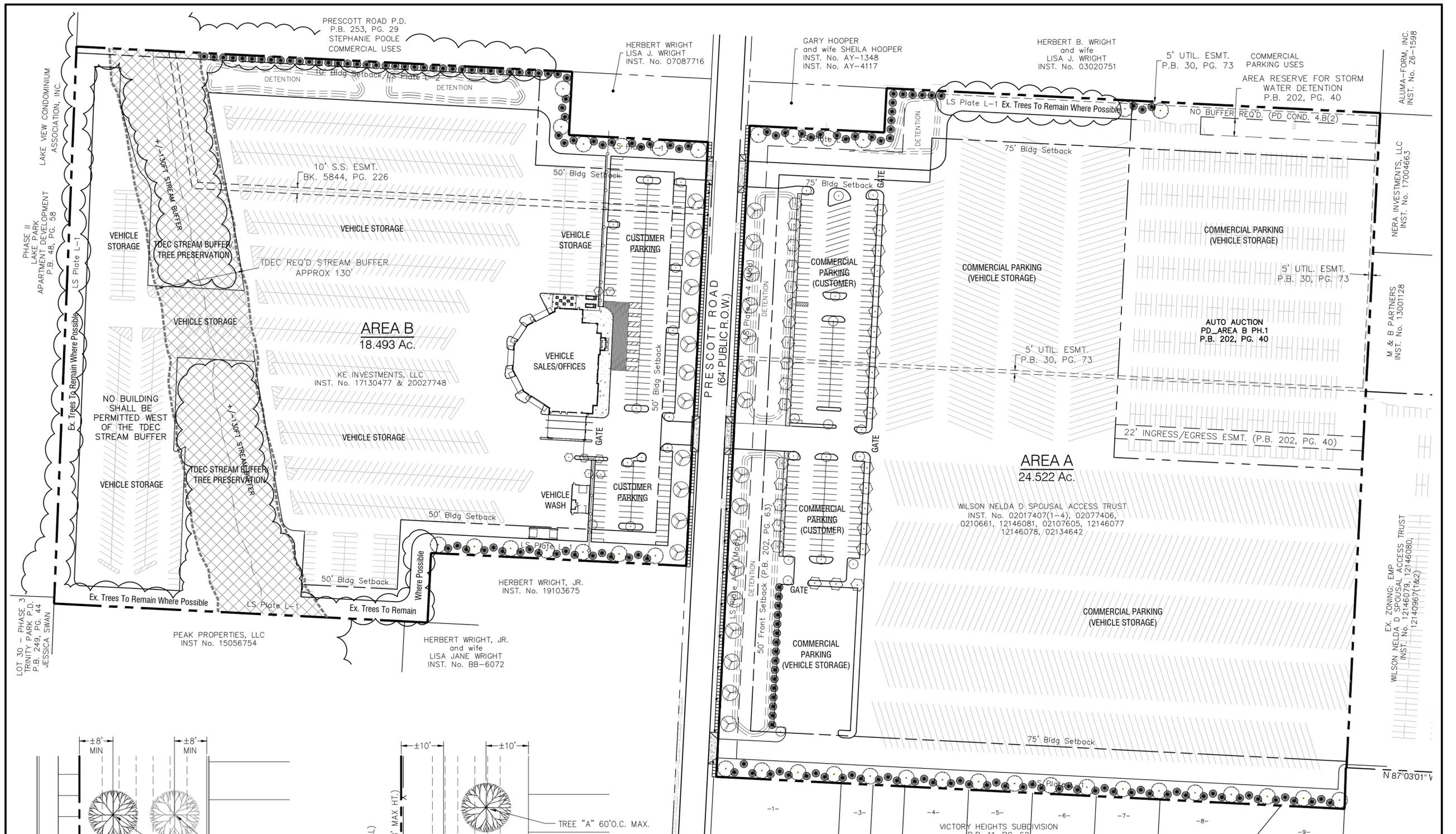
DRAFT

OUTLINE PLAN

**AUTO AUCTION PLANNED DEVELOPMENT,
3RD AMENDMENT**

CASE NUMBER: PD ##-###		FORMER CASE NUMBERS: PD 18-028
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 2	ACREAGE: 43.015 ACRES	WARD 73, BLOCK 89, PARCEL 20c WARD 73, BLOCK 88, PARCELS 14,15,16,234
OWNERS/DEVELOPERS: KE ENTERPRISES 311 MOORE LN COLLIERVILLE, TN 38017		ENGINEER: RENAISSANCE GROUP, INC. 9700 VILLAGE CIRCLE, STE.100 LAKELAND, TN 38002
100 YEAR FLOOD ELEV: 217	FEMA MAP PANEL No. 470177 0455 F	FEMA MAP DATE: 9/28/2007
APRIL 2021	SCALE: 1" = 100'	SHEET 2 OF 4





LOT 30 - PHASE 3
TRINITY PARK P.D.
P.B. 249, PG. 44
JESSICA SWAN

PHASE II
LAKE PARK
APARTMENT DEVELOPMENT
P.B. 48, PG. 58
LS Plate L-1
Ex. Trees To Remain Where Possible

PEAK PROPERTIES, LLC
INST. No. 15056754

KE INVESTMENTS, LLC
INST. No. 17130477 & 20027748

HERBERT WRIGHT, JR.
and wife
LISA JANE WRIGHT
INST. No. BB-6072

HERBERT WRIGHT
LISA J. WRIGHT
INST. No. 07087716

GARY HOOPER
and wife SHEILA HOOPER
INST. No. AY-1348
INST. No. AY-4117

HERBERT B. WRIGHT
and wife
LISA J. WRIGHT
INST. No. 03020751

5' UTIL. ESMT.
P.B. 30, PG. 73

COMMERCIAL
PARKING USES
AREA RESERVE FOR STORM
WATER DETENTION
P.B. 202, PG. 40
REQ'D. (PD COND. 4.B(2))

ALUMA-FORM, INC.
INST. No. Z6-1598

NERA INVESTMENTS, LLC
INST. No. 17004663

M & B PARTNERS
INST. No. 13001128

EX. ZONING: EMP
WILSON NELDA D SPOUSAL ACCESS TRUST
INST. No. 12146079, 12146080,
12140967(1&2)

WILSON NELDA D SPOUSAL ACCESS TRUST
INST. No. 02017407(1-4), 02077406,
0210661, 12146081, 02107605, 12146077,
12146078, 02134642

5' UTIL. ESMT.
P.B. 30, PG. 73

5' UTIL. ESMT.
P.B. 30, PG. 73

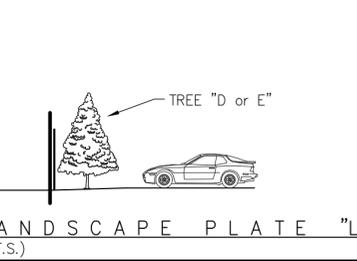
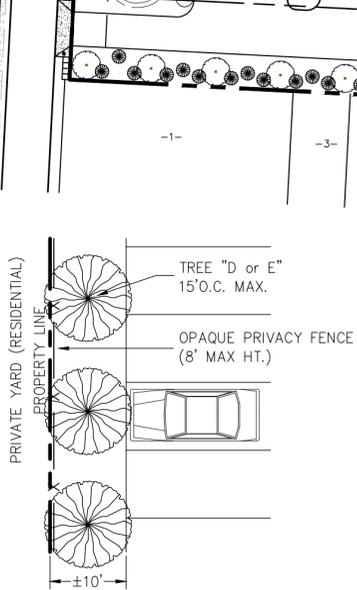
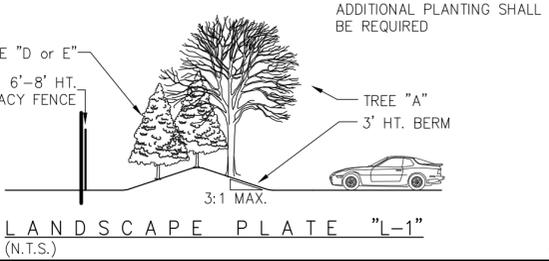
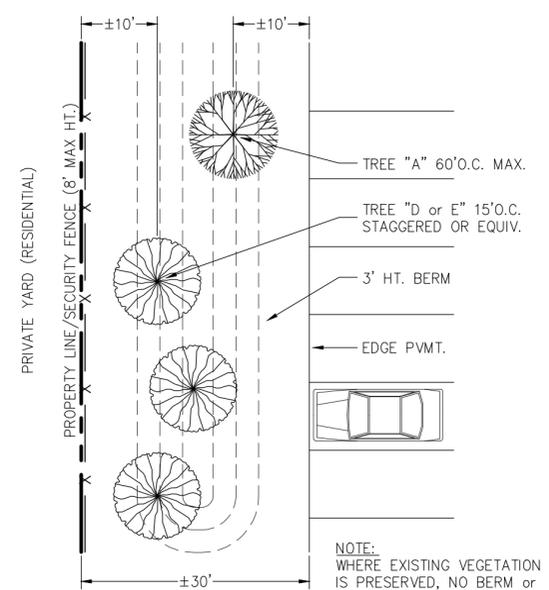
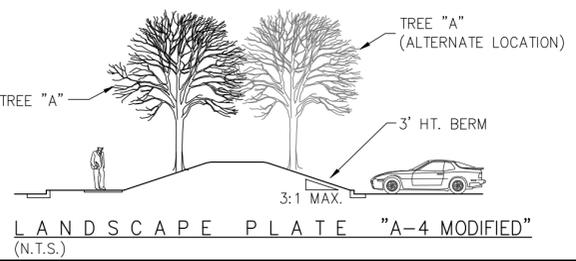
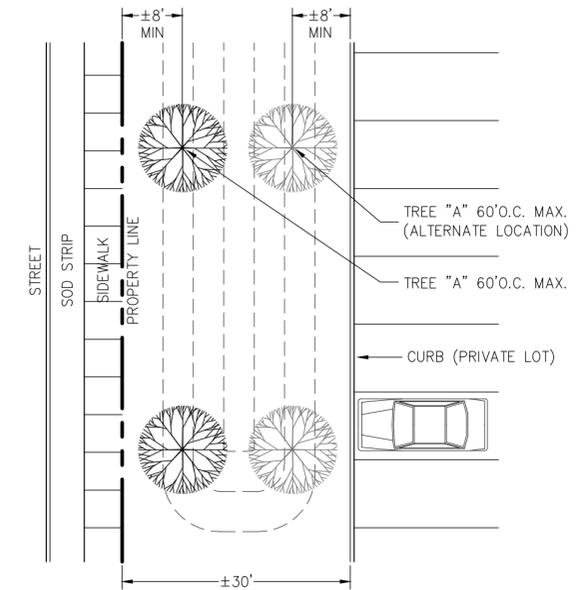
22' INGRESS/EGRESS ESMT. (P.B. 202, PG. 40)

AREA A
24.522 Ac.

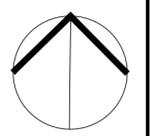
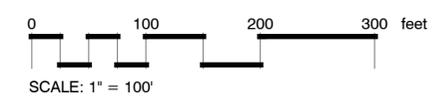
AREA B
18.493 Ac.

VICTORY HEIGHTS SUBDIVISION
P.B. 11, PG. 62

N 87°03'01" V



NOTE:
WHERE EXISTING VEGETATION
IS PRESERVED, NO BERM OR
ADDITIONAL PLANTING SHALL
BE REQUIRED



DRAFT

OUTLINE PLAN - SITE CONCEPT PLAN
AUTO AUCTION PLANNED DEVELOPMENT,
3RD AMENDMENT

CASE NUMBER: PD ##-###		FORMER CASE NUMBERS: PD 18-028
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 2	ACREAGE: 43.015 ACRES	WARD 73, BLOCK 89, PARCEL 20c WARD 73, BLOCK 88, PARCELS 14,15,16,234
OWNERS/DEVELOPERS: KE ENTERPRISES 311 MOORE LN COLLIERVILLE, TN 38017	WILSON NELDA D SPOUSAL ACCESS TRUST 2850 RUE JORDAN GERMANTOWN TN 38138	ENGINEER: RENAISSANCE GROUP, INC. 9700 VILLAGE CIRCLE, STE.100 LAKELAND, TN 38002
100 YEAR FLOOD ELEV: 217	FEMA MAP PANEL No. 470177 0455 F	FEMA MAP DATE: 9/28/2007
APRIL 2021	SCALE: 1" = 100'	SHEET 3 OF 4

OWNER'S CERTIFICATE

I, _____, THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN, HEREBY ADOPT THIS PLAT AS MY PLAN OF DEVELOPMENT AND DEDICATE THE STREETS, RIGHT-OF-WAYS, AND GRANT THE EASEMENTS AS SHOWN AND/OR DESCRIBED TO PUBLIC USE FOREVER. I CERTIFY THAT I AM THE OWNER OF SAID PROPERTY IN FEE SIMPLE, DULY AUTHORIZED TO ACT, AND THAT SAID PROPERTY IS NOT

OWNER DATE

NOTARY CERTIFICATE
STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED PERSONALLY APPEARED _____, WITH WHO I AM PERSONALLY ACQUAINTED AND WHO, UPON OATH ACKNOWLEDGED HIMSELF TO BE THE OWNER OF _____, AND HE AS SUCH REPRESENTATIVE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET OUT BY HAND AND AFFIX MY SEAL THIS _____ DAY OF _____, 20 ____.

(NOTARY PUBLIC)

MY COMMISSION EXPIRES: _____

MORTGAGEE CERTIFICATE

WE, THE UNDERSIGNED, _____, MORTGAGEE OF THE PROPERTY SHOWN HEREON, HEREBY ADOPT THIS PLAT AS OUR PLAN OF SUBDIVISION AND DEDICATE THE STREETS, RIGHTS-OF-WAY UTILITIES, EASEMENTS AND RIGHTS OF ACCESS AS SHOWN TO THE CITY OF MEMPHIS FOREVER AND HEREBY CERTIFY THAT WE ARE THE MORTGAGE DULY AUTHORIZED SO TO ACT AND THAT SAID PROPERTY IS UNENCUMBERED BY ANY TAXES WHICH HAVE BECOME DUE AND PAYABLE.

DATE SIGNATURE OF MORTGAGEE

NOTARY CERTIFICATE
STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE AND COUNTY AFORESAID, DULY COMMISSIONED AND QUALIFIED PERSONALLY APPEARED _____, WITH WHO I AM PERSONALLY ACQUAINTED AND WHO, UPON OATH ACKNOWLEDGED HIMSELF TO BE THE OWNER OF _____, AND HE AS SUCH REPRESENTATIVE EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET OUT BY HAND AND AFFIX MY SEAL THIS _____ DAY OF _____, 20 ____.

(NOTARY PUBLIC)

MY COMMISSION EXPIRES: _____

Landscape Architect Certificate

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT, IS IN CONFORMANCE WITH THE DESIGN REQUIREMENTS OF THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, THE SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT, AND TAKES INTO ACCOUNT ALL APPLICABLE FEDERAL, STATE, AND LOCAL BUILDING LAWS AND REGULATIONS.

BY: Cory Brady, PLA, AICP (SEAL) DATE: _____

TENNESSEE CERTIFICATE NO. 795

Surveyor's Certificate

I HEREBY CERTIFY THAT THIS A CATEGORY _____ SURVEY AND THAT THE PRECISION OF THE UNADJUSTED SURVEY IS 1: _____ OR GREATER; THAT THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY INDIVIDUAL SUPERVISION AND CONFORMS WITH APPLICABLE STATE LAWS, THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE, AND SPECIFIC CONDITIONS IMPOSED ON THIS DEVELOPMENT RELATING TO THE PRACTICE OF SURVEYING.

BY: _____ (SEAL) DATE: _____

TENNESSEE CERTIFICATE NO. _____

LAND USE AND DEVELOPMENT SERVICES CERTIFICATE

THIS OUTLINE PLAN CONFORMS WITH THE PLANNED DEVELOPMENT ACTED ON BY THE LAND USE CONTROL BOARD ON _____ AND APPROVED BY THE COUNCIL OF THE CITY OF MEMPHIS ON _____.

BY _____ DATE _____
ZONING ADMINISTRATOR

LUDS _____ DATE _____

CITY / COUNTY ENGINEER _____ DATE _____

DRAFT

OUTLINE PLAN

**AUTO AUCTION PLANNED DEVELOPMENT,
3RD AMENDMENT**

CASE NUMBER: PD ##-###		FORMER CASE NUMBERS: PD 18-028
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 2	ACREAGE: 43.015 ACRES	WARD 73, BLOCK 89, PARCEL 20c WARD 73, BLOCK 88, PARCELS 14,15,16,234
OWNERS/DEVELOPERS: KE ENTERPRISES 311 MOORE LN COLLIERVILLE, TN 38017		ENGINEER: RENAISSANCE GROUP, INC. 9700 VILLAGE CIRCLE, STE.100 LAKELAND, TN 38002
100 YEAR FLOOD ELEV: 217	FEMA MAP PANEL No. 470177 0455 F	FEMA MAP DATE: 9/28/2007
APRIL 2021	SCALE: 1" = 100'	SHEET 4 OF 4





1 FRONT ELEVATION (FACING PRESCOTT)
1/16" = 1'-0"

KEYNOTE LEGEND	
E1	BRICK VENEER-TYPE 1
E1.2	BRICK ROWLOCK OVER SOLDIER-TYPE 1
E2	STONE VENEER - TYPE 1
E3	HORIZONTAL CORRUGATED METAL - COLOR 01
E4	VERTICAL CORRUGATED METAL - COLOR 01
E5	METAL TRIM - COLOR 1
E6	ACM PANEL - COLOR 02
E8	ROUND METAL WRAP COLUMN - COLOR 03
E9	HOLLOW METAL DOOR AND FRAME - PAINT COLOR 01
E10	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM
E11	CHARCOAL ALUMINUM STOREFRONT SYSTEM
E13	VERTICAL OVERHEAD DOOR - COLOR 03
E14	BUILDING SIGNANGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03

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PROPERTY OF RENAISSANCE GROUP INC.

MEMPHIS AUTO AUCTION

PRESCOTT ROAD
MEMPHIS TN 38118



Renaissance Group

architecture ■ engineering ■ planning ■ interiors

9700 Village Circle, Suite 100, Lakeland, TN 38002 (p) 901.332.5533 www.rgroup.biz



1 **SIDE ELEVATION (NORTH)**
 1/16" = 1'-0"

KEYNOTE LEGEND	
E1	BRICK VENEER-TYPE 1
E1.2	BRICK ROWLOCK OVER SOLDIER-TYPE 1
E2	STONE VENEER - TYPE 1
E3	HORIZONTAL CORRUGATED METAL - COLOR 01
E4	VERTICAL CORRUGATED METAL - COLOR 01
E6	ACM PANEL - COLOR 02
E7	PREFINISHED METAL COPING - COLOR 01
E8	ROUND METAL WRAP COLUMN - COLOR 03
E9	HOLLOW METAL DOOR AND FRAME - PAINT COLOR 01
E10	CLEAR ANODIZED ALUMINUM STOREFRONT SYSTEM
E11	CHARCOAL ALUMINUM STOREFRONT SYSTEM
E12	VERTICAL OVERHEAD DOOR - COLOR 01
E14	BUILDING SIGNANGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03

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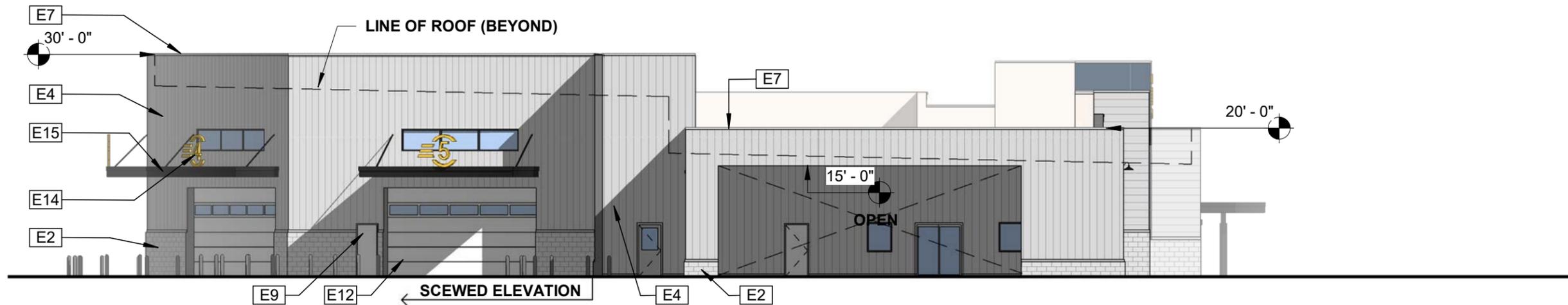
MEMPHIS AUTO AUCTION

PRESCOTT ROAD
 MEMPHIS TN 38118



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1 **SIDE ELEVATION (SOUTH)**
 1/16" = 1'-0"

KEYNOTE LEGEND	
E2	STONE VENEER - TYPE 1
E4	VERTICAL CORRUGATED METAL - COLOR 01
E7	PREFINISHED METAL COPING - COLOR 01
E9	HOLLOW METAL DOOR AND FRAME - PAINT COLOR 01
E12	VERTICAL OVERHEAD DOOR - COLOR 01
E14	BUILDING SIGNANGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03

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PROPOSED NEW CONSTRUCTION OF

04-05-2021

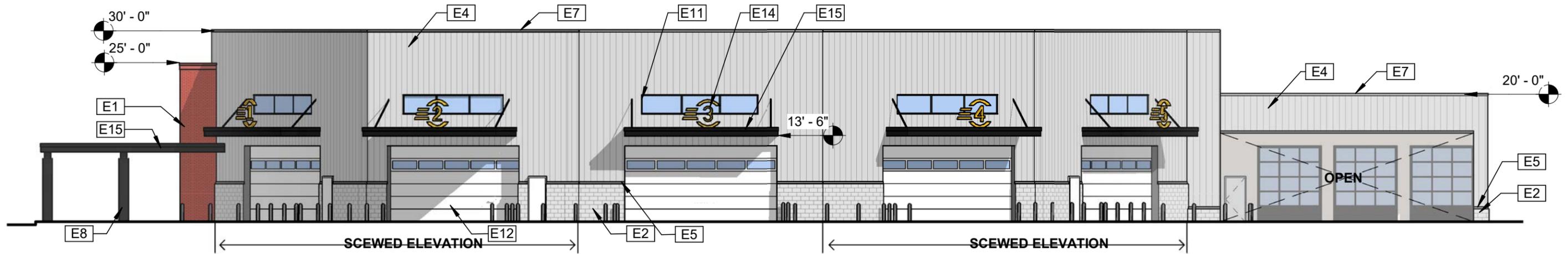
MEMPHIS AUTO AUCTION

PRESCOTT ROAD
 MEMPHIS TN 38118



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1 REAR ELEVATION (WEST)
1/16" = 1'-0"

KEYNOTE LEGEND	
E1	BRICK VENEER-TYPE 1
E2	STONE VENEER - TYPE 1
E4	VERTICAL CORRUGATED METAL - COLOR 01
E5	METAL TRIM - COLOR 1
E7	PREFINISHED METAL COPING - COLOR 01
E8	ROUND METAL WRAP COLUMN - COLOR 03
E11	CHARCOAL ALUMINUM STOREFRONT SYSTEM
E12	VERTICAL OVERHEAD DOOR - COLOR 01
E14	BUILDING SIGNANGE BY OWNERS
E15	PREFINISHED METAL CANOPY - COLOR 03

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PROPERTY OF RENAISSANCE GROUP INC.

PROPOSED NEW CONSTRUCTION OF

04-05-2021

MEMPHIS AUTO AUCTION

PRESCOTT ROAD
MEMPHIS TN 38118



Renaissance Group
architecture ■ engineering ■ planning ■ interiors

9700 Village Circle, Suite 100, Lakeland, TN 38002 (p) 901.332.5533 www.rgroup.biz

NOTES:

- Survey prepared for Renaissance Group.
- Bearings are relative to NAVD '88.
- This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.
- All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
- This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map Nos. 47157C 0440 & 0445 F, Community Panel Nos. 470177 0440 & 0445 F, Effective Date: September 28, 2007.
- Structures visible on the date of this survey are shown hereon.
- All visible utility structures located on this property of which we have knowledge are shown hereon.
- Underground pipes were assumed to be straight from structure to structure.
- There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
- There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.
- Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- If this survey plot is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
- Survey is valid only if print has original seal of surveyor.
- Elevations shown hereon were taken on the ground using B.M. noted hereon.
- Contours were plotted at one foot intervals for convenience only.
- Contours were derived from elevations taken on the ground by means of radial topo and are relative to B.M. noted hereon.
- Benchmark (B.M.): City of Memphis Benchmark No. 1684, being a city cap located at the southeast corner of Old Getwell Road and Watman Avenue, glued to the top of curb at er on Old Getwell Road side. Elevation: 296.19 (NAVD '88 Datum)

**PHASE II
LAKE PARK
APARTMENT DEVELOPMENT
P.B. 48, PG. 58**

LAKE VIEW CONDOMINIUM
ASSOCIATION, INC.

LEGEND:

P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
BK.	BOOK
P.B.	PLAT BOOK
PG.	PAGE
AC.	ACRES
UTIL.	UTILITY
ESMT.	EASEMENT
CONC.	CONCRETE
AG	ANCHOR GUY
EB	ELECTRIC BOX
EM	ELECTRIC METER
OE	OVERHEAD ELECTRIC
OT	OVERHEAD TELEPHONE
LP	LIGHT POLE
PP	POWER POLE
TPED	TELEPHONE PEDESTAL
GM	GAS METER
GV	GAS VALVE
FH	FIRE HYDRANT
FHC	FIRE HOSE CONNECTION
PIV	POST INDICATOR VALVE
OM	WATER METER
WV	WATER VALVE
CO	SEWER CLEANOUT
FL	FLOWLINE
GMH	GREASE MANHOLE
SMH	SEWER MANHOLE
DMH	DRAIN MANHOLE
CMP	CORRUGATED METAL PIPE
PLP	PLASTIC PIPE
RCP	REINFORCED CONC. PIPE
SB	SECURITY BOX
SC	SECURITY CAMERA
FF	FINISH FLOOR ELEVATION
FFOD	FINISH FLOOR ELEVATION (OUTSIDE OF DOORWAY)
—	SIGN
•	PIPE BOLLARD (UNLESS OTHERWISE INDICATED)

**LOT 30 - PHASE 3
TRINITY PARK P.D.
P.B. 249, PG. 44**
JESSICA SWAN

**PEAK PROPERTIES, LLC
INST. No. 15056754**

**HERBERT WRIGHT, JR.
and wife
LISA JANE WRIGHT
INST. No. BB-6072**

**HERBERT WRIGHT, JR.
INST. No. 19103675**

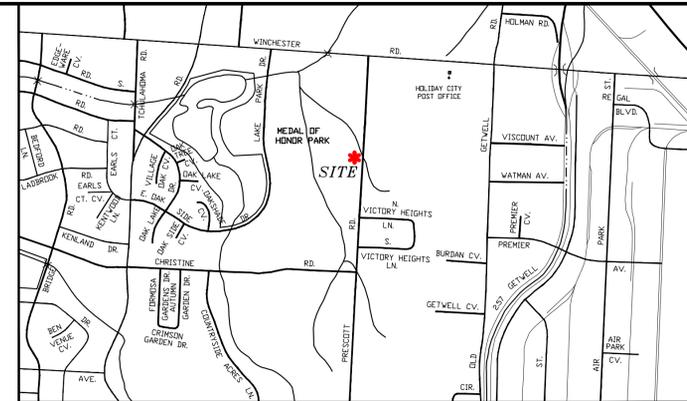
**KE INVESTMENTS, LLC
INST. No. 17130477**

**PARCEL 1
18.493 Ac.**

**KE INVESTMENTS, LLC
INST. No. 20027748**

**PRESCOTT ROAD P.D.
P.B. 253, PG. 29**
STEPHANIE POOLE

**REMAINDER
HERBERT WRIGHT
LISA J. WRIGHT
INST. No. 07087716**



VICINITY MAP

NOT TO SCALE

DESCRIPTION (PARCEL 1):

Description of the KE Investments, LLC property recorded at Instrument Nos. 17130477 and 20027748 in Memphis, Shelby County, Tennessee:

Beginning at a set 1/2" rebar with plastic cap in the west line of Prescott Road (64' R.O.W.) (30' from centerline), said point being located in the north line of the Herbert Wright, Jr. property recorded at Instrument No. 19103675; thence north 87 degrees 04 minutes 01 seconds west with the north line of said property recorded at Instrument No. 19103675, 400.00 feet to a set pk nail; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 19103675, 110.00 feet to a barbed wire fence corner post in the north line of the Herbert Wright, Jr. and wife, Lisa Jane Wright property recorded at Instrument No. BB-6072; thence north 87 degrees 04 minutes 01 seconds west with the north line of the Peak Properties, LLC property recorded at Instrument No. 15056754, passing a found rebar at 36.00 feet and on for a total distance of 585.60 feet to a set 1/2" rebar with plastic cap in the east line of Lot 30, Phase 3, Trinity Park P.D. recorded in Plat Book 249, Page 44; thence north 02 degrees 17 minutes 59 seconds east with the east line of Lot 30 of said subdivision recorded in Plat Book 249, Page 44 and with the east line of Phase 11, Lake Park Apartment recorded in Plat Book 48, Page 58, 879.85 feet to a point in the south line of Prescott Road P.D. recorded in Plat Book 253, Page 29; thence south 87 degrees 04 minutes 01 seconds east with the south line of said subdivision recorded in Plat Book 253, Page 29, passing a found metal post at 3.19 feet and on for a total distance of 777.20 feet to a set 1/2" rebar with plastic cap in the west line of the remainder of the Herbert Wright and Lisa J. Wright property recorded at Instrument No. 07087716; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 07087716, 100.00 feet to a set 1/2" rebar with plastic cap; thence south 87 degrees 04 minutes 01 seconds east with the south line of the remainder of said property recorded at Instrument No. 07087716, 218.00 feet to a set 1/2" rebar with plastic cap in the west line of the aforesaid Prescott Road; thence south 02 degrees 55 minutes 29 seconds west with the west line of said Prescott Road, 669.79 feet to the Point of Beginning and containing 18.493 acres of land.

DESCRIPTION (PARCEL 2):

Description of the Robert J. Wilson and wife, Nelda D. Wilson Property recorded at Inst. Nos. 02017407, 02077406, 02106661, 02107905, 02134642, 02140967, 02146077, 02146078, 02146079, 02146080 & 02146081 in Memphis, Shelby County, Tennessee:

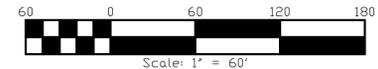
Beginning at a point in the east line of Prescott Road (64' R.O.W.) (34' from centerline), said point being located in the north line of Lot 1, Victory Heights Subdivision recorded in Plat Book 11, Page 62 (found rebar located 4.00' west of corner); thence north 02 degrees 55 minutes 29 seconds east with the east line of said Prescott Road, 1029.04 feet to a set 1/2" rebar with plastic cap in the south line of the Gary Hooper and wife, Sheila Hooper property recorded at Instrument Nos. AY-1348 and AY-1117; thence south 87 degrees 05 minutes 28 seconds east with the south line of said Hooper property, 211.04 feet to a found rebar; thence north 02 degrees 55 minutes 29 seconds east with the east line of said Hooper property, 69.97 feet to a set 1/2" rebar with plastic cap in the south line of the Herbert R. Wright and wife, Lisa J. Wright property recorded at Instrument No. 03020751; thence south 87 degrees 05 minutes 28 seconds east with the south line of said property recorded at Instrument No. 03020751, 774.06 feet to a found rebar in the west line of the Nero Investments, LLC property recorded at Instrument No. 17004663; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 17004663 and with the west line of the M & S Partners property recorded at Instrument No. 13001128, 440.00 feet to a set 1/2" rebar with plastic cap; thence south 87 degrees 05 minutes 28 seconds east with the south line of said property recorded at Instrument No. 13001128, 814.82 feet to a set 1/2" rebar with plastic cap in the west line of Old Getwell Road (60' R.O.W.); thence south 01 degrees 47 minutes 16 seconds west with the west line of said Old Getwell Road, 540.40 feet to a set 1/2" rebar with plastic cap in the north line of the Annie Pauline Forrester property recorded at Instrument No. Y4-1752; thence north 87 degrees 03 minutes 01 seconds west with the north line of said property recorded at Instrument No. Y4-1752, 550.11 feet to a cyclone fence corner post; thence south 01 degrees 47 minutes 16 seconds west with the west line of said property recorded at Instrument No. Y4-1752, 55.01 feet to a set 1/2" rebar with plastic cap in the north line of the Wiley Imports Acquisition Company, LLC property recorded at Instrument No. 13008436; thence north 87 degrees 03 minutes 01 seconds west with the north line of said property recorded at Instrument No. 13008436, 277.52 feet to a set 1/2" rebar with plastic cap; thence south 01 degrees 47 minutes 16 seconds west with the west line of said property recorded at Instrument No. 13008436, 65.01 feet to a found rebar in the north line of Lot 9 of said subdivision recorded in Plat Book 11 Page 62; thence north 87 degrees 03 minutes 01 seconds west with the north line of said subdivision recorded in Plat Book 11, Page 62, 985.39 feet to the Point of Beginning and containing 35.038 acres of land.

**TOPOGRAPHIC SURVEY OF THE
KE INVESTMENTS, LLC
PROPERTY
RECORDED AT INST. Nos.
17130477 & 20027748
AND OF THE
ROBERT J. WILSON and
wife, NELDA D. WILSON
PROPERTY
RECORDED INST. Nos.**

**02017407, 02077406, 02106661, 02107905,
02134642, 02140967, 02146077, 02146078,
02146079, 02146080 & 02146081
MEMPHIS,
SHELBY COUNTY, TENNESSEE
SCALE: 1" = 60' DATE: JANUARY 28, 2021**



Milestone Land Surveying, Inc.
2880 Cobb Road
Lakeland, TN 38002
Phone: (901) 867-8671
Fax: (901) 867-9889
milestones@bellsouth.net



Scale: 1" = 60'

NUMBER	DIRECTION	DISTANCE
L1	S 02°55'29" W	110.00'
L2	N 02°55'29" E	69.97'
L3	S 01°47'16" W	65.01'
L3	S 01°47'16" W	65.01'

EXCEPTIONS:

- Final Plan, Victory Heights Subdivision recorded in Plat Book 10, Page 70, in the Register's Office of Shelby County, Tennessee. (does not contain any survey related matters affecting the subject property)
- Final Plan, Mizell Subdivision recorded in Plat Book 30, Page 73, in the aforesaid Register's Office. (where plottable, shown hereon)
- Outline Plan, Auto Auction P.D. recorded in Plat Book 168, Page 65, as amended in Auto Auction P.D., 2nd Amendment recorded in Plat Book 202, Page 63, in the Register's Office of Shelby County, Tennessee. (where plottable, shown hereon)
- Final Plan, Phase 1, Auto Auction P.D. recorded in Plat Book 202, Page 40, in the aforesaid Register's Office. (where plottable, shown hereon)
- Easement Contract recorded in Book 3802, Page 327, in the aforesaid Register's Office. (shown hereon)

NOTES:

1. Survey prepared for Renaissance Group.
2. Bearings are relative to NAVD '88.
3. This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.
4. All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
5. This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map Nos. 47157C 0440 & 0445 F, Community Panel Nos. 470177 0440 & 0445 F, Effective Date: September 28, 2007.
6. Structures visible on the date of this survey are shown hereon.
7. All visible utility structures located on this property of which we have knowledge are shown hereon.
8. Underground pipes were assumed to be straight from structure to structure.
9. There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
10. There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
11. Subsurface and environmental conditions were not examined or considered as a part of this survey.
12. Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
13. If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
14. Survey is valid only if print has original seal of surveyor.
15. Elevations shown hereon were taken on the ground using B.M. noted hereon.
16. Contours were plotted at one foot intervals for convenience only.
17. Contours were derived from elevations taken on the ground by means of radial topo and are relative to B.M. noted hereon.
18. Benchmark (B.M.): City of Memphis Benchmark No. 1684, being a city cap located at the southeast corner of Old Getwell Road and Watan Avenue, glued to the top of curb at er on Old Getwell Road side. Elevation: 296.19 (NAVD '88 Datum)

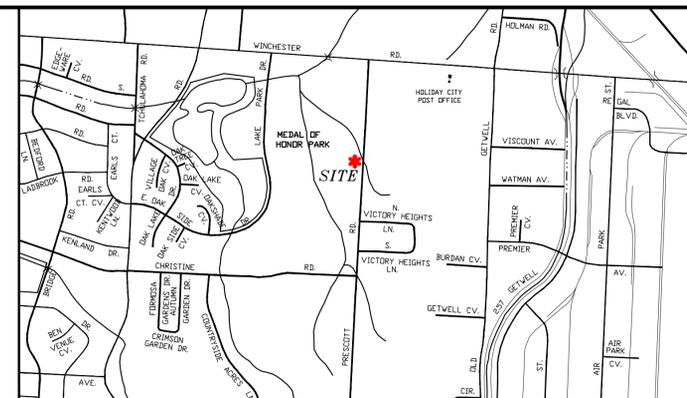
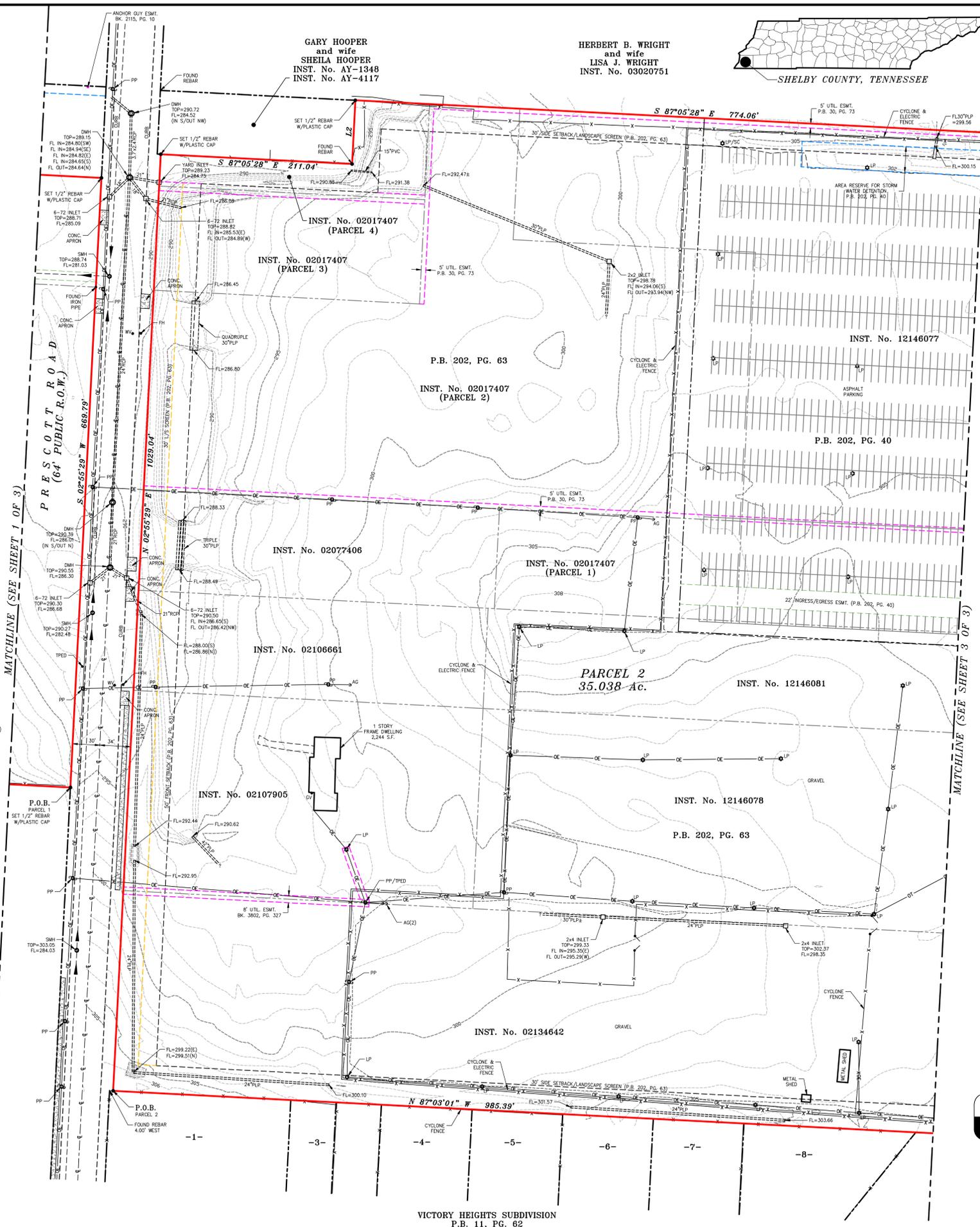
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3. Outline Plan, Auto Auction P.D. recorded in Plat Book 168, Page 65, as amended in Auto Auction P.D., 2nd Amendment recorded in Plat Book 202, Page 63, in the Register's Office of Shelby County, Tennessee. (where plottable, shown hereon)
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5. Easement Contract recorded in Book 3802, Page 327, in the aforesaid Register's Office. (shown hereon)

LEGEND:

- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- BK. BOOK
- P.B. PLAT BOOK
- PG. PAGE
- Ac. ACRES
- UTIL. UTILITY
- ESMT. EASEMENT
- CONC. CONCRETE
- AC ANCHOR GUY
- EB ELECTRIC BOX
- EM ELECTRIC METER
- OE OVERHEAD ELECTRIC
- OT OVERHEAD TELEPHONE
- LP LIGHT POLE
- PP POWER POLE
- TPED TELEPHONE PEDESTAL
- GM GAS METER
- GV GAS VALVE
- FH FIRE HYDRANT
- FHC FIRE HOSE CONNECTION
- FIV POST INDICATOR VALVE
- OM WATER METER
- WV WATER VALVE
- CO SEWER CLEANOUT
- FL FLOWLINE
- GMH GREASE MANHOLE
- SMH SEWER MANHOLE
- DMH DRAIN MANHOLE
- CMP CORRUGATED METAL PIPE
- PLP PLASTIC PIPE
- RCP REINFORCED CONC. PIPE
- SB SECURITY BOX
- SC SECURITY CAMERA
- FF FINISH FLOOR ELEVATION
- FFOD FINISH FLOOR ELEVATION (OUTSIDE OF DOORWAY)
- SIGN SIGN
- PIPE BOLLARD (UNLESS OTHERWISE INDICATED)

NUMBER	DIRECTION	DISTANCE
L1	S 05°55'29" W	110.00'
L2	N 02°53'29" E	63.97'
L3	S 01°47'16" W	55.01'
L3	S 01°47'16" W	65.01'



VICINITY MAP

DESCRIPTION (PARCEL 1):
Description of the KE Investments, LLC property recorded at Instrument Nos. 17130477 and 20027748 in Memphis, Shelby County, Tennessee:
Beginning at a set 1/2" rebar with plastic cap in the west line of Prescott Road (64' R.O.W.) (30' from centerline), said point being located in the north line of the Herbert Wright, Jr. property recorded at Instrument No. 19103675; thence north 87 degrees 04 minutes 01 seconds west with the north line of said property recorded at Instrument No. 19103675; 400.00 feet to a set pk nail; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 19103675; 110.00 feet to a barbed wire fence corner post in the north line of the Herbert Wright, Jr. and wife, Lisa Jane Wright property recorded at Instrument No. BB-6072; thence north 87 degrees 04 minutes 01 seconds west with the north line of said property recorded at Instrument No. BB-6072 and with the north line of the Peak Properties, LLC property recorded at Instrument No. 15056754; passing a found rebar at 36.00 feet and on for a total distance of 585.60 feet to a set 1/2" rebar with plastic cap in the east line of Lot 30, Phase 3, Trinity Park P.D. recorded in Plat Book 249, Page 44; thence north 02 degrees 17 minutes 59 seconds east with the east line of Lot 30 of said subdivision recorded in Plat Book 249, Page 44 and with the east line of Phase 1, Lake Park Apartment Development recorded in Plat Book 48, Page 58, 879.85 feet to a point in the south line of Prescott Road P.D. recorded in Plat Book 253, Page 29; thence south 87 degrees 04 minutes 01 seconds east with the south line of said subdivision recorded in Plat Book 253, Page 29, passing a found metal post at 3.19 feet and on for a total distance of 777.20 feet to a set 1/2" rebar with plastic cap in the west line of the remainder of the Herbert Wright and Lisa J. Wright property recorded at Instrument No. 07087716; thence south 02 degrees 55 minutes 29 seconds west with the west line of the remainder of said property recorded at Instrument No. 07087716, 100.00 feet to a set 1/2" rebar with plastic cap; thence south 87 degrees 04 minutes 01 seconds east with the south line of the remainder of said property recorded at Instrument No. 07087716, 218.00 feet to a set 1/2" rebar with plastic cap in the west line of the aforesaid Prescott Road; thence south 02 degrees 55 minutes 29 seconds west with the west line of said Prescott Road, 669.79 feet to the Point of Beginning and containing 18.493 acres of land.

DESCRIPTION (PARCEL 2):
Description of the Robert J. Wilson and wife, Nelida D. Wilson Property recorded at Inst. Nos. 02017407, 02077406, 02106661, 02107905, 02134642, 02140967, 02146077, 02146078, 02146079, 02146080 & 02146081 in Memphis, Shelby County, Tennessee:
Beginning at a point in the east line of Prescott Road (64' R.O.W.) (34' from centerline), said point being located in the north line of Lot 1, Victory Heights Subdivision recorded in Plat Book 11, Page 62 (four rebar located 4.00' west of corner); thence north 02 degrees 55 minutes 29 seconds east with the east line of said Prescott Road, 1029.04 feet to a set 1/2" rebar with plastic cap in the south line of the Gary Hooper and wife, Sheila Hooper property recorded at Instrument Nos. AY-1348 and AY-4117; thence south 87 degrees 05 minutes 28 seconds east with the south line of said Hooper property, 211.04 feet to a found rebar; thence north 02 degrees 55 minutes 29 seconds east with the east line of said Hooper property, 69.97 feet to a set 1/2" rebar with plastic cap in the west line of the Herbert R. Wright and wife, Lisa J. Wright property recorded at Instrument No. 03020751; thence south 87 degrees 05 minutes 28 seconds east with the south line of said property recorded at Instrument No. 03020751, 774.06 feet to a found rebar in the west line of the Nera Investments, LLC property recorded at Instrument No. 17004663; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 17004663 and with the west line of the M & S Forner's property recorded at Instrument No. 13001128, 440.00 feet to a set 1/2" rebar with plastic cap; thence south 87 degrees 05 minutes 28 seconds east with the south line of said property recorded at Instrument No. 13001128, 814.82 feet to a set 1/2" rebar with plastic cap in the west line of Old Getwell Road (60' R.O.W.); thence south 01 degrees 47 minutes 16 seconds west with the west line of said Old Getwell Road, 540.40 feet to a set 1/2" rebar with plastic cap in the north line of the Annie Pauline Forrester property recorded at Instrument No. Y4-1752; thence north 87 degrees 03 minutes 01 seconds west with the north line of said property recorded at Instrument No. Y4-1752, 550.11 feet to a cyclone fence corner post; thence south 01 degrees 47 minutes 16 seconds west with the west line of said property recorded at Instrument No. Y4-1752, 3.01 feet to a set 1/2" rebar with plastic cap in the north line of the Wiley Imports Acquisition Company, LLC property recorded at Instrument No. 13008436; thence north 87 degrees 03 minutes 01 seconds west with the north line of said property recorded at Instrument No. 13008436, 277.52 feet to a set 1/2" rebar with plastic cap; thence south 01 degrees 47 minutes 16 seconds west with the west line of said property recorded at Instrument No. 13008436, 65.01 feet to a found rebar in the north line of Lot 9 of said subdivision recorded in Plat Book 11 Page 62; thence north 87 degrees 03 minutes 01 seconds west with the north line of said subdivision recorded in Plat Book 11, Page 62, 985.39 feet to the Point of Beginning and containing 35.038 acres of land.

DESCRIPTION (PARCEL 1):
Description of the KE Investments, LLC property recorded at Instrument Nos. 17130477 and 20027748 in Memphis, Shelby County, Tennessee:
Beginning at a set 1/2" rebar with plastic cap in the west line of Prescott Road (64' R.O.W.) (30' from centerline), said point being located in the north line of the Herbert Wright, Jr. property recorded at Instrument No. 19103675; thence north 87 degrees 04 minutes 01 seconds west with the north line of said property recorded at Instrument No. 19103675; 400.00 feet to a set pk nail; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 19103675; 110.00 feet to a barbed wire fence corner post in the north line of the Herbert Wright, Jr. and wife, Lisa Jane Wright property recorded at Instrument No. BB-6072; thence north 87 degrees 04 minutes 01 seconds west with the north line of said property recorded at Instrument No. BB-6072 and with the north line of the Peak Properties, LLC property recorded at Instrument No. 15056754; passing a found rebar at 36.00 feet and on for a total distance of 585.60 feet to a set 1/2" rebar with plastic cap in the east line of Lot 30, Phase 3, Trinity Park P.D. recorded in Plat Book 249, Page 44; thence north 02 degrees 17 minutes 59 seconds east with the east line of Lot 30 of said subdivision recorded in Plat Book 249, Page 44 and with the east line of Phase 1, Lake Park Apartment Development recorded in Plat Book 48, Page 58, 879.85 feet to a point in the south line of Prescott Road P.D. recorded in Plat Book 253, Page 29; thence south 87 degrees 04 minutes 01 seconds east with the south line of said subdivision recorded in Plat Book 253, Page 29, passing a found metal post at 3.19 feet and on for a total distance of 777.20 feet to a set 1/2" rebar with plastic cap in the west line of the remainder of the Herbert Wright and Lisa J. Wright property recorded at Instrument No. 07087716; thence south 02 degrees 55 minutes 29 seconds west with the west line of the remainder of said property recorded at Instrument No. 07087716, 100.00 feet to a set 1/2" rebar with plastic cap; thence south 87 degrees 04 minutes 01 seconds east with the south line of the remainder of said property recorded at Instrument No. 07087716, 218.00 feet to a set 1/2" rebar with plastic cap in the west line of the aforesaid Prescott Road; thence south 02 degrees 55 minutes 29 seconds west with the west line of said Prescott Road, 669.79 feet to the Point of Beginning and containing 18.493 acres of land.

DESCRIPTION (PARCEL 2):
Description of the Robert J. Wilson and wife, Nelida D. Wilson Property recorded at Inst. Nos. 02017407, 02077406, 02106661, 02107905, 02134642, 02140967, 02146077, 02146078, 02146079, 02146080 & 02146081 in Memphis, Shelby County, Tennessee:
Beginning at a point in the east line of Prescott Road (64' R.O.W.) (34' from centerline), said point being located in the north line of Lot 1, Victory Heights Subdivision recorded in Plat Book 11, Page 62 (four rebar located 4.00' west of corner); thence north 02 degrees 55 minutes 29 seconds east with the east line of said Prescott Road, 1029.04 feet to a set 1/2" rebar with plastic cap in the south line of the Gary Hooper and wife, Sheila Hooper property recorded at Instrument Nos. AY-1348 and AY-4117; thence south 87 degrees 05 minutes 28 seconds east with the south line of said Hooper property, 211.04 feet to a found rebar; thence north 02 degrees 55 minutes 29 seconds east with the east line of said Hooper property, 69.97 feet to a set 1/2" rebar with plastic cap in the west line of the Herbert R. Wright and wife, Lisa J. Wright property recorded at Instrument No. 03020751; thence south 87 degrees 05 minutes 28 seconds east with the south line of said property recorded at Instrument No. 03020751, 774.06 feet to a found rebar in the west line of the Nera Investments, LLC property recorded at Instrument No. 17004663; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 17004663 and with the west line of the M & S Forner's property recorded at Instrument No. 13001128, 440.00 feet to a set 1/2" rebar with plastic cap; thence south 87 degrees 05 minutes 28 seconds east with the south line of said property recorded at Instrument No. 13001128, 814.82 feet to a set 1/2" rebar with plastic cap in the west line of Old Getwell Road (60' R.O.W.); thence south 01 degrees 47 minutes 16 seconds west with the west line of said Old Getwell Road, 540.40 feet to a set 1/2" rebar with plastic cap in the north line of the Annie Pauline Forrester property recorded at Instrument No. Y4-1752; thence north 87 degrees 03 minutes 01 seconds west with the north line of said property recorded at Instrument No. Y4-1752, 550.11 feet to a cyclone fence corner post; thence south 01 degrees 47 minutes 16 seconds west with the west line of said property recorded at Instrument No. Y4-1752, 3.01 feet to a set 1/2" rebar with plastic cap in the north line of the Wiley Imports Acquisition Company, LLC property recorded at Instrument No. 13008436; thence north 87 degrees 03 minutes 01 seconds west with the north line of said property recorded at Instrument No. 13008436, 277.52 feet to a set 1/2" rebar with plastic cap; thence south 01 degrees 47 minutes 16 seconds west with the west line of said property recorded at Instrument No. 13008436, 65.01 feet to a found rebar in the north line of Lot 9 of said subdivision recorded in Plat Book 11 Page 62; thence north 87 degrees 03 minutes 01 seconds west with the north line of said subdivision recorded in Plat Book 11, Page 62, 985.39 feet to the Point of Beginning and containing 35.038 acres of land.

**TOPOGRAPHIC SURVEY OF THE
KE INVESTMENTS, LLC
PROPERTY
RECORDED AT INST. Nos.
17130477 & 20027748
AND OF THE
ROBERT J. WILSON and
wife, NELDA D. WILSON
PROPERTY
RECORDED INST. Nos.
02017407, 02077406, 02106661, 02107905,
02134642, 02140967, 02146077, 02146078,
02146079, 02146080 & 02146081
MEMPHIS,
SHELBY COUNTY, TENNESSEE
SCALE: 1" = 60' DATE: JANUARY 28, 2021**

MILESTONE
Milestone Land Surveying, Inc.
2880 Cobb Road
Lakeland, TN 38002
Phone: (901) 867-8671
Fax: (901) 867-9889
milestones@bellsouth.net

80 0 60 120 180
Scale: 1" = 60'

SHEET 2 OF 3
DRAWN BY: RTS.

NOTES:

- Survey prepared for Renaissance Group.
- Bearings are relative to NAVD '88.
- This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.
- All deed book references shown hereon are recorded in the Register's Office of Shelby County, Tennessee.
- This property is not located in a Special Flood Hazard Area per Flood Insurance Rate Map, Map Nos. 47157C 0440 & 0445 F, Community Panel Nos. 470177 0440 & 0445 F, Effective Date: September 28, 2007.
- Structures visible on the date of this survey are shown hereon.
- All visible utility structures located on this property of which we have knowledge are shown hereon.
- Underground pipes were assumed to be straight from structure to structure.
- There may be non-visible underground utilities crossing or serving this property of which we have no knowledge.
- There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.
- Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- If this survey plat is also provided in electronic form, the electronic copy must be compared to the original hard copy issued at the survey date with its original seal to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on a document transmitted by computer or other electronic means unless first compared to the original sealed document issued at the time of the survey.
- Survey is valid only if print has original seal of surveyor.
- Elevations shown hereon were taken on the ground using B.M. noted hereon.
- Contours were plotted at one foot intervals for convenience only.
- Contours were derived from elevations taken on the ground by means of radial topo and are relative to B.M. noted hereon.
- Benchmark (B.M.): City of Memphis Benchmark No. 1684, being a city cap located at the southeast corner of Old Getwell Road and Watanan Avenue, glued to the top of curb at er on Old Getwell Road side. Elevation: 296.19 (NAVD '88 Datum)

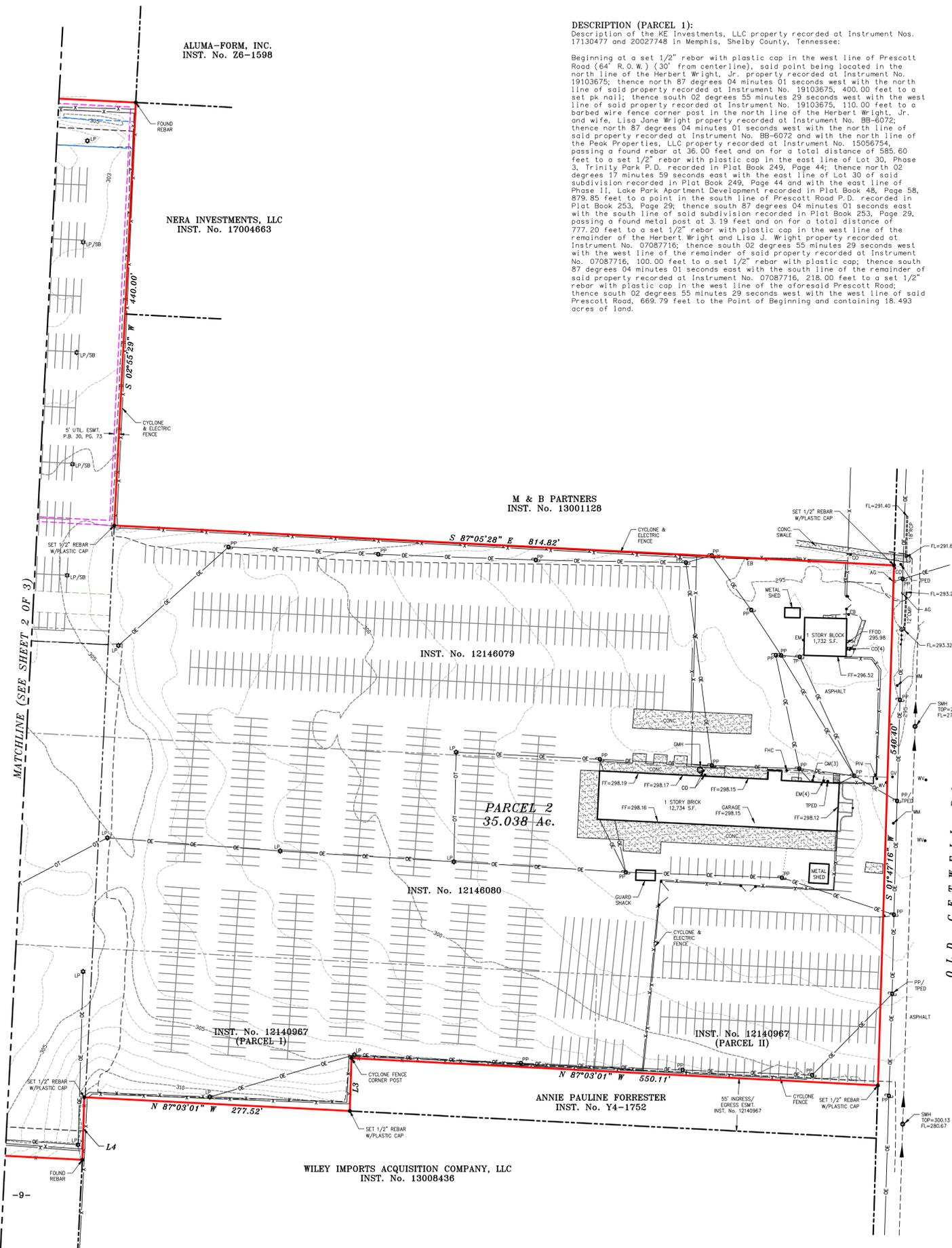
EXCEPTIONS:

- Final Plan, Victory Heights Subdivision recorded in Plat Book 10, Page 70, in the Register's Office of Shelby County, Tennessee. (does not contain any survey related matters affecting the subject property)
- Final Plan, Mizell Subdivision recorded in Plat Book 30, Page 73, in the aforesaid Register's Office. (where plottable, shown hereon)
- Outline Plan, Auto Auction P.D. recorded in Plat Book 168, Page 65, as amended in Auto Auction P.D., 2nd Amendment recorded in Plat Book 202, Page 63, in the Register's Office of Shelby County, Tennessee. (where plottable, shown hereon)
- Final Plan, Phase 1, Auto Auction P.D. recorded in Plat Book 202, Page 40, in the aforesaid Register's Office. (where plottable, shown hereon)
- Easement Contract recorded in Book 3802, Page 327, in the aforesaid Register's Office. (shown hereon)

LEGEND:

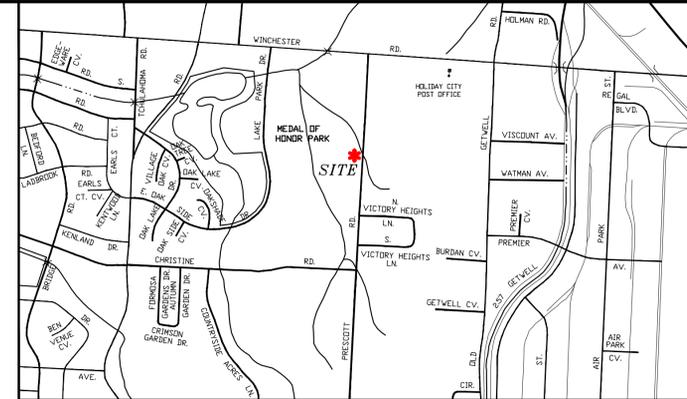
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- BK. BOOK
- P.B. PLAT BOOK
- P.G. PAGE
- Ac. ACRES
- UTIL. UTILITY
- ESMT. EASEMENT
- CONC. CONCRETE
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- FF FINISH FLOOR ELEVATION (OUTSIDE OF DOORWAY)
- FFOD FINISH FLOOR ELEVATION (INSIDE OF DOORWAY)
- SIGN SIGN
- PIPE BOLLARD (UNLESS OTHERWISE INDICATED)

NUMBER	DIRECTION	DISTANCE
L1	S 02°35'29" W	110.00'
L2	N 02°35'29" E	69.97'
L3	S 01°47'16" W	55.01'
L3	S 01°47'16" W	65.01'



DESCRIPTION (PARCEL 1):

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VICINITY MAP



DESCRIPTION (PARCEL 2):

Description of the Robert J. Wilson and wife, Nelda D. Wilson Property recorded at Inst. Nos. 02017407, 02077406, 02106661, 02107905, 02134642, 02140967, 02146077, 02146078, 02146079, 02146080 & 02146081 in Memphis, Shelby County, Tennessee:

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CERTIFICATION:

I hereby certify that this is a Category 1 Survey and that the ratio of precision of the unadjusted survey is 1:10,000 or greater.

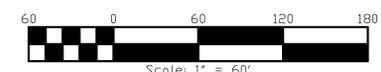
MILESTONE LAND SURVEYING, INC.

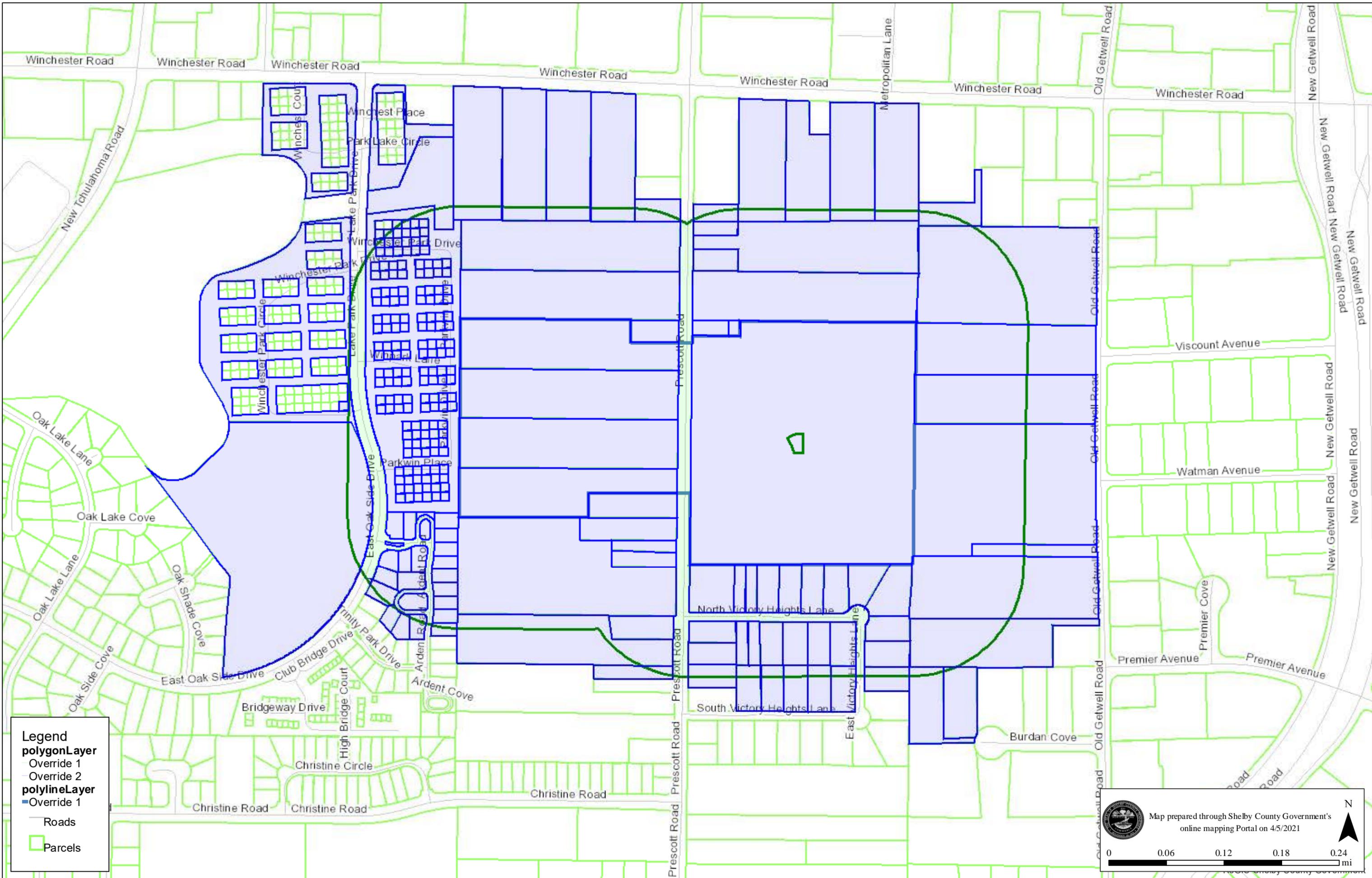
By *Regis T. Storch*, J.P.S. Date *08/21*
 Vice President
 Tennessee Certificate No. 2138
 TENNESSEE NO. 2138

**TOPOGRAPHIC SURVEY OF THE
 KE INVESTMENTS, LLC
 PROPERTY
 RECORDED AT INST. Nos.
 17130477 & 20027748
 AND OF THE
 ROBERT J. WILSON and
 wife, NELDA D. WILSON
 PROPERTY
 RECORDED INST. Nos.
 02017407, 02077406, 02106661, 02107905,
 02134642, 02140967, 02146077, 02146078,
 02146079, 02146080 & 02146081
 MEMPHIS,
 SHELBY COUNTY, TENNESSEE
 SCALE: 1" = 60' DATE: JANUARY 28, 2021**



Milestone Land Surveying, Inc.
 2880 Cobb Road
 Lakeland, TN 38002
 Phone: (901) 867-8671
 Fax: (901) 867-9889
 milestonels@ellsouth.net





Legend

polygonLayer

- Override 1
- Override 2

polylineLayer

- Override 1

Roads

Parcels



Map prepared through Shelby County Government's online mapping Portal on 4/5/2021

0 0.06 0.12 0.18 0.24 mi

N

073090 00008 - BUIE ROBERT E
073088 P00006 - MOORE RHONDA L
073088 P00008 - SWAN JESSICA
073088 000001 - FINLEY ERIKA
073088 P00002 - DIXON LASHONDA S
073088 P00015 - BRANCH ANGELA D
073088 00006 - SKB PROPERTIES LLC
073089 00003 - BURTON REAL ESTATE L P
073089 00099 - FOWLER LORAIN R
073089 00019 - M & B PARTNERS
073088 00018 - WRIGHT HERBERT JR & LISA J
073088 00120 - GODINEZ ROBERTO N L
073089 00125 - BOWIE ALLIE M
073088 00121 - PHANTHAVONG CHOUMMARY & PHAICHITH
073090 00006 - OSBURN MARGARET J B
073090 00007 - INMAN JOHN D
073090 00015 - DAVIS C B & ROBERTA
073090 00014 - DAVIS CLINTON B & ROBERTA G
073089 00081 - MAINS CHARLES
073088 P00016 - PARNELL KATRINA
073088 P00014 - DANIELS LOREAL L
073088 00005 - DEERCHASE LLC
073088 P00017 - HABITAT FOR HUMANITY OF GREATER MEMPHIS
073088 P00007 - MEEKS KATONIA C
073088 00115 - CITY OF MEMPHIS & CO OF SHELBY
073089 00127 - HOOPER GARRY B & SHEILA J
073089 00077 - DANIELS BOBBY E TRUST
073088 00016 - KE INVESTMENTS LLC
073088 00122 - BABB ROSE S
073088 00019C - PEAK PROPERTIES LLC
073088 P00004 - CARTWRIGHT MONICA
073088 P00001 - PAYNE JUSTINE
073088 P00018 - HABITAT FOR HUMANITY OF GREATER MEMPHIS
073088 00007 - SKB PROPERTIES LLC
073089 00005 - BRAXTON OTIS A & VIVIAN J
073089 00006 - COLE LOUIS JR
073089 00104 - ALUMA-FORM INC
073088 00010 - PHIMSIPASOM DAVIS
073089 00129 - FOWLER RILEY B & LORAIN R
073089 00128 - FOWLER RILEY B & LORAIN R
073089 00097C - WRIGHT HERBERT & LISA J
073089 00133 - HOOPER GARY & SHEILA
073089 00018 - NERA INVESTMENTS LLC
073089 00020C - WILSON NELDA D SPOUSAAL ACCESS TRUST
073088 00017 - WRIGHT HERBERT JR
073088 00119 - JEFFRIES RALPH T

073089 00024 - FORRESTER ANNIE P
073089 00087 - BOUAKHAYPHENGPRACHAN KHAMKHANG &
073089 00124 - ROSS DONALD J JR
073089 00084 - ROSS DONALD J JR
073089 00083 - KLOCKENGA TIM
073089 00082 - HARPER CYNTHIA J AND JOSEPH H LAKATOS
073089 00080 - TEDFORD MARY R (ESTATE OF)
073090 00001 - DAVIS CLINTON B & ROBERTA G
073090 00002 - HARBIN CONNIE H AND TINA H EMERSON (RS)
073089 00079 - DANIELS BOBBY E TRUST
073090 00003 - HARBIN CONNIE H AND TINA H EMERSON (RS)
073090 00004 - JETER PAUL A III & JUDY D H
073090 00005 - DUNN THERESA L
073089 00029 - LAGASSE DAVID M AND STEPHEN VOYLES
073089 00078 - STOKES IMMANUEL
073088 00023 - NGUYEN THANH
073090 00012 - EMMONS ELIZABETH A
073090 00011 - LEWIS EARL B AND DEBRA L WISE (RS)
073090 00010 - MASON DAVE J AND TOMMIE HARVILLE
073090 00009 - BOWIE LENZIE (ESTATE OF)
073089 00131 - BELL PROPERTY GROUP GENERAL PARTNERSHIP
073089 00130 - BELL PROPERTY GROUP GENERAL PARTNERSHIP
073088 00004 - DEERCHASE LLC
073088 P00013 - SCOTT KIMBERLY M
073088 P00010 - HUGHES-TYSON CAUDREY
073088 P00009 - JACKSON TAMEKA R
073089 00015C - ALUMA-FORM INC
073089 00002 - BURTON REAL ESTATE L P
073089 00088C - BOUAKHAYPHENGPRACHAN KHAMKANG & PATTY
073089 00025C - WILEY IMPORTS ACQUISTON COMPANY
073088 000007 - HABITAT FOR HUMANITY OF GREATER MEMPHIS
073089 00101 - GUY NATHANIEL AND CHARMAINE GUY
073088 P00012 - WILLIAMS CANIDA A
073088 P00011 - GAINES GWENDOLYN V
073088 000002 - THOMPSON PRECIOUS L
073088 00117 - CITY OF MEMPHIS & CO OF SHELBY
073088 000003 - LAWSON ANDREW L & REGINA F
073088 P00003 - WALLS MARSHITA
073088 00011 - LAYMAN JOHN M JR
073088 00012 - POOLE STEPHANIE
073088 00233 - WRIGHT HERBERT AND LISA J WRIGHT
073088 00014 - KE INVESTMENTS LLC
073088 00015 - KE INVESTMENTS LLC
073088 P00020 - HABITAT FOR HUMANITY OF GREATER MEMPHIS
073088 P00005 - JOHNSON LAKESHA C
073088 P00019 - HABITAT FOR HUMANITY OF GREATER MEMPHIS

073088 Q00382 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00384 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00377 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00379 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00361 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00355 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00357 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00226 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00228 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00221 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00223 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00393 - LAKE VIEW CONDOMINIUM
073088 Q00230 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00386 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00235 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00391 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00363 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00227 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00367 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00232 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00364 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00353 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00218 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00374 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00188 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00283 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00299 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00351 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00326 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00262 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00315 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00289 - MEMPHIS LAKE VIEW PARTNERS LLC

073088 Q00305 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00349 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00216 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00217 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00362 - MEMPHIS LAKE VIEW PARTNERS LLC

073088 Q00225 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00333 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00332 - MEMPHIS LAKE VIEW PARTNERS LLC

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073088 Q00322 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00285 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00269 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00303 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00287 - MEMPHIS LAKE VIEW PARTNERS LLC
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073088 Q00376 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00354 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00222 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00378 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00268 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00309 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00293 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00277 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00233 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00389 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00231 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00387 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00365 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00359 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00342 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 Q00345 - MEMPHIS LAKE VIEW PARTNERS LLC
073088 00234 - KE INVESTMENTS LLC

BUIE ROBERT E
3102 COMET CV
MEMPHIS TN 38118

WRIGHT HERBERT JR & LISA J
3739 PRESCOTT RD
MEMPHIS TN 38118

DANIELS LOREAL L
3772 ARDENT RD
MEMPHIS TN 38118

MOORE RHONDA L
3475 HONOR PARK DR
MEMPHIS TN 38118

GODINEZ ROBERTO N L
3751 PRESCOTT RD
MEMPHIS TN 38118

DEERCHASE LLC
4583 DAVIS RD
SOUTHAVEN MS 38671

SWAN JESSICA
3736 HONOR PARK LOOP
MEMPHIS TN 38118

BOWIE ALLIE M
3632 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

HABITAT FOR HUMANITY OF GREATER MEMPHIS
7136 WINCHESTER RD
MEMPHIS TN 38125

FINLEY ERIKA
7136 WINCHESTER RD
MEMPHIS TN 38112

PHANTHAVONG CHOUMMARY & PHAICHITH
3785 PRESCOTT RD
MEMPHIS TN 38118

MEEKS KATONIA C
3474 HONOR PARK DR
MEMPHIS TN 38118

DIXON LASHONDA S
3475 FELLOWSHIP LOOP
MEMPHIS TN 38118

OSBURN MARGARET J B
12501 LONGHORN PKWY #A 350
AUSTIN TX 78732

CITY OF MEMPHIS & CO OF SHELBY
125 N MAIN ST
MEMPHIS TN 38103

BRANCH ANGELA D
3778 ARDENT RD
MEMPHIS TN 38118

INMAN JOHN D
3645 N VICTORY HEIGHTS LN
MEMPHIS TN 38118

HOOPER GARRY B & SHEILA J
3654 PRESCOTT RD
MEMPHIS TN 38118

SKB PROPERTIES LLC
3571 WINCHESTER RD
MEMPHIS TN 38118

DAVIS C B & ROBERTA
40 N FEEMSTER LAKE RD
TUPELO MS 38804

DANIELS BOBBY E TRUST
3065 GREEN FAIRWAY CV S
COLLIERVILLE TN 38017

BURTON REAL ESTATE L P
7735 FOSTER RIDGE RD
GERMANTOWN TN 38138

DAVIS CLINTON B & ROBERTA G
40 N FEEMSTER LAKE RD
TUPELO MS 38804

KE INVESTMENTS LLC
311 MOORE LN
COLLIERVILLE TN 38017

FOWLER LORAIN R
3618 PRESCOTT RD
MEMPHIS TN 38118

MAINS CHARLES
3686 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

BABB ROSE S
3791 PRESOTT ST
MEMPHIS TN 38118

M & B PARTNERS
3873 SAINT ANDREWS GRN
MEMPHIS TN 38111

PARNELL KATRINA
3784 ARDENT RD
MEMPHIS TN 38118

PEAK PROPERTIES LLC
1779 KIRBY PKWY #1
MEMPHIS TN 38138

JOHNSON LAKESHA C
3483 HONOR PARK DR
MEMPHIS TN 38118

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

HABITAT FOR HUMANITY OF GREATER MEMPHIS
7136 WINCHESTER RD
MEMPHIS TN 38125

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
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BEVERLY HILLS CA 90210

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415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

LAKE VIEW CONDOMINIUM
2650 THOUSANDS OAKS BLVD #2140
MEMPHIS TN 38118

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

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BEVERLY HILLS CA 90210

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BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

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415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

STOKES IMMANUEL
2275 LESTER RD
NESBIT MS 38651

HUGHES-TYSON CAUDREY
3748 ARDENT RD
MEMPHIS TN 38118

THOMPSON PRECIOUS L
3473 OAKSIDE DR E
MEMPHIS TN 38118

NGUYEN THANH
1871 CHELSEA PARK CV
GERMANTOWN TN 38139

JACKSON TAMEKA R
3742 HONOR PARK LOOP
MEMPHIS TN 38118

CITY OF MEMPHIS & CO OF SHELBY
125 N MAIN ST
MEMPHIS TN 38103

EMMONS ELIZABETH A
545 HOLLY RIDGE DR NW #A
LILBURN GA 30047

ALUMA-FORM INC
PO BOX 18555
MEMPHIS TN 38118

LAWSON ANDREW L & REGINA F
7136 WINCHESTER RD
MEMPHIS TN 38125

LEWIS EARL B AND DEBRA L WISE (RS)
3648 VICTORY HEIGHTS LN S
MEMPHIS TN 38118

BURTON REAL ESTATE L P
7735 FOSTER RIDGE RD
GERMANTOWN TN 38138

WALLS MARSHITA
3483 FELLOWSHIP LOOP DR
MEMPHIS TN 38118

MASON DAVE J AND TOMMIE HARVILLE
3656 VICTORY HEIGHTS LN S
MEMPHIS TN 38118

BOUAKHAYPHENGPRACHAN KHAMKANG & PATTY
3770 PRESCOTT RD
MEMPHIS TN 38118

LAYMAN JOHN M JR
12 PLANTATION OAKS LN
JONESBORO AR 72401

BOWIE LENZIE (ESTATE OF)
3632 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

WILEY IMPORTS ACQUISTON COMPANY
7670 REESE RD
BARTLETT TN 38133

POOLE STEPHANIE
2400 BOBBITT
WILLISTON TN 38076

BELL PROPERTY GROUP GENERAL PARTNERSHIP
8545 CORDES CIR
GERMANTOWN TN 38139

HABITAT FOR HUMANITY OF GREATER MEMPHIS
7136 WINCHESTER RD
MEMPHIS TN 38125

WRIGHT HERBERT AND LISA J WRIGHT
3651 PRESCOTT RD
MEMPHIS TN 38118

BELL PROPERTY GROUP GENERAL PARTNERSHIP
8545 CORDES CIR
GERMANTOWN TN 38139

GUY NATHANIEL AND CHARMAINE GUY
3596 PRESCOTT RD
MEMPHIS TN 38111

KE INVESTMENTS LLC
311 MOORE LN
COLLIERVILLE TN 38017

DEERCHASE LLC
4583 DAVIS RD
SOUTHAVEN MS 38671

WILLIAMS CANIDA A
3760 ARDENT RD
MEMPHIS TN 38118

KE INVESTMENTS LLC
311 MOORE LN
COLLIERVILLE TN 38017

SCOTT KIMBERLY M
7136 WINCHESTER RD
MEMPHIS TN 38125

GAINES GWENDOLYN V
3754 ARDENT RD
MEMPHIS TN 38118

HABITAT FOR HUMANITY OF GREATER MEMPHIS
7136 WINCHESTER RD
MEMPHIS TN 38125

CARTWRIGHT MONICA
7136 WINCHESTER RD
MEMPHIS TN 38125

WRIGHT HERBERT & LISA J
3739 PRESCOTT RD
MEMPHIS TN 38118

KLOCKENGA TIM
3676 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

PAYNE JUSTINE
3467 FELLOWSHIP LOOP
MEMPHIS TN 38118

HOOPER GARY & SHEILA
3654 PRESCOTT RD
MEMPHIS TN 38118

HARPER CYNTHIA J AND JOSEPH H LAKATOS
3245 MARSHALL DR
MORRIS CHAPEL TN 38361

HABITAT FOR HUMANITY OF GREATER MEMPHIS
7136 WINCHESTER RD
MEMPHIS TN 38125

NERA INVESTMENTS LLC
7707 APACHE PLUME DR
HOUSTON TX 77071

TEDFORD MARY R (ESTATE OF)
1883 HELMSLEY CV
CORDOVA TN 38016

SKB PROPERTIES LLC
3865 VISCOUNT AVE
MEMPHIS TN 38118

WILSON NELDA D SPOUSAAL ACCESS TRUST
2850 RUE JORDAN
GERMANTOWN TN 38138

DAVIS CLINTON B & ROBERTA G
40 N FEEMESTER LAKE RD
TUPELO MS 38804

BRAXTON OTIS A & VIVIAN J
3675 WINCHESTER RD
MEMPHIS TN 38118

WRIGHT HERBERT JR
3739 PRESCOTT RD
MEMPHIS TN 38118

HARBIN CONNIE H AND TINA H EMERSON (RS)
3645 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

COLE LOUIS JR
3693 WINCHESTER RD
MEMPHIS TN 38118

JEFFRIES RALPH T
3747 PRESCOTT RD
MEMPHIS TN 38118

DANIELS BOBBY E TRUST
3065 GREEN FAIRWAY CV S
COLLIERVILLE TN 38017

ALUMA-FORM INC
3625 OLD GETWELL RD
MEMPHIS TN 38118

FORRESTER ANNIE P
3825 WAYNE AVE
MEMPHIS TN 38122

HARBIN CONNIE H AND TINA H EMERSON (RS)
3645 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

PHIMSIPASOM DAVIS
3716 TCHULAHOMA RD
MEMPHIS TN 38118

BOUAKHAYPHENGPRACHAN KHAMKHANG &
570 JOSEPHINE ST
MEMPHIS TN 38111

JETER PAUL A III & JUDY D H
3645 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

FOWLER RILEY B & LORAIN R
3618 PRESCOTT RD
MEMPHIS TN 38118

ROSS DONALD J JR
3654 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

DUNN THERESA L
19545 NORFOLK DR
FLINT TX 75762

FOWLER RILEY B & LORAIN R
3618 PRESCOTT RD
MEMPHIS TN 38118

ROSS DONALD J JR
3654 VICTORY HEIGHTS LN N
MEMPHIS TN 38118

LAGASSE DAVID M AND STEPHEN VOYLES
PO BOX 18564
MEMPHIS TN 38181

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

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MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

KE INVESTMENTS LLC
311 MOORE LN
COLLIERVILLE TN 38017

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

MEMPHIS LAKE VIEW PARTNERS LLC
415 N CRESCENT DR #230
BEVERLY HILLS CA 90210

INTEGRATED LAND SOLUTIONS, pllc

planning ▪ design ▪ landscape architecture

April 8, 2021

Josh Whitehead, AICP
Administrator/Planning Director
Memphis and Shelby County Office of Planning and Development
125 North Main Street, Suite 468
Memphis, TN 38104

Re: Outline Plan Amendment
Auto Auction P.D. (Formerly PD 18-028)

Mr. Whitehead,

On behalf of the property owner and applicant, KE Investments, LLC, and in collaboration with the Renaissance Group, Inc., I am requesting an outline plan amendment to the Memphis Auto Auction Planned Development approved by the Memphis City Council September 25, 2018 (PD 28-028).

The subject property includes 43-acres located approximately 1100-feet south of Winchester Road along both sides of Prescott Road. The proposed amendment will facilitate a multi-million dollar site redevelopment plan to include a new indoor wholesale vehicle sales facility, associated offices, and updated surface parking areas.

The following amendments are sought:

1. The addition of approximately 4.52-acres along the north boundary of Area B of the Memphis Auto Auction Planned Development. Said property being owned by KE Investments, LLC (Parcel ID # 073088 00234/Inst. # 20027748);
2. The addition of Vehicular Sales and associated Accessory Uses as defined by UDC §2.9.4.J within Area B of the Memphis Auto Auction PD;
3. Improved landscape and screening specifications.

On behalf of KE Investments, LLC, I appreciate your consideration and look forward to discussing the project in more detail with Division of Planning and Development staff, Land Use Control Board members, and City Council representatives. A pre-application conference was held with Jeffrey Penzes, January 28, 2021. Please find enclosed the formal application and supplemental information necessary for your review. If you should have any questions, please do not hesitate to contact me. Thank you for your consideration of this request.

Respectfully,



Cory Brady, PLA, AICP
Integrated Land Solutions, pllc

4.10.3 Planned Development General Provisions

1. The proposed development will not unduly injure or damage the use, value and enjoyment of surrounding property nor unduly hinder or prevent the development of surrounding property in accordance with the current development policies and plans of the City and County.

Response: The proposed planned development amendment is a continuation of development entitlement established through prior approvals dating back to the late 1990s. With the exception of limited adjacent residential land uses, the surrounding properties are largely undeveloped or utilized as vehicle storage yards and/or contractor yards. Where the planned development adjoins established residential uses, previously approved landscape buffers that exceed the M/SC UDC requirements are required.

2. An approved water supply, community waste water treatment and disposal, and storm water drainage facilities that are adequate to serve the proposed development have been or will be provided concurrent with the development.

Response: The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.

3. The location and arrangement of the structures, parking areas, walks, lighting and other service facilities shall be compatible with the surrounding land uses, and any part of the proposed development not used for structures, parking and loading areas or access way shall be landscaped or otherwise improved except where natural features are such as to justify preservation.

Response: Acknowledged. The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations

4. Any modification of the district standards that would otherwise be applicable to the site are warranted by the design of the outline plan and the amenities incorporated therein, and are not inconsistent with the public interest.

Response: The project complies with all additional standards imposed on it by any particular provisions authorizing such use.

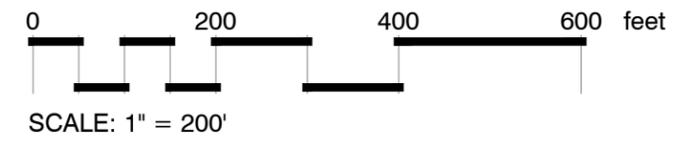
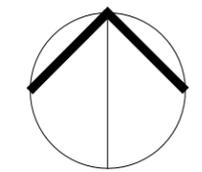
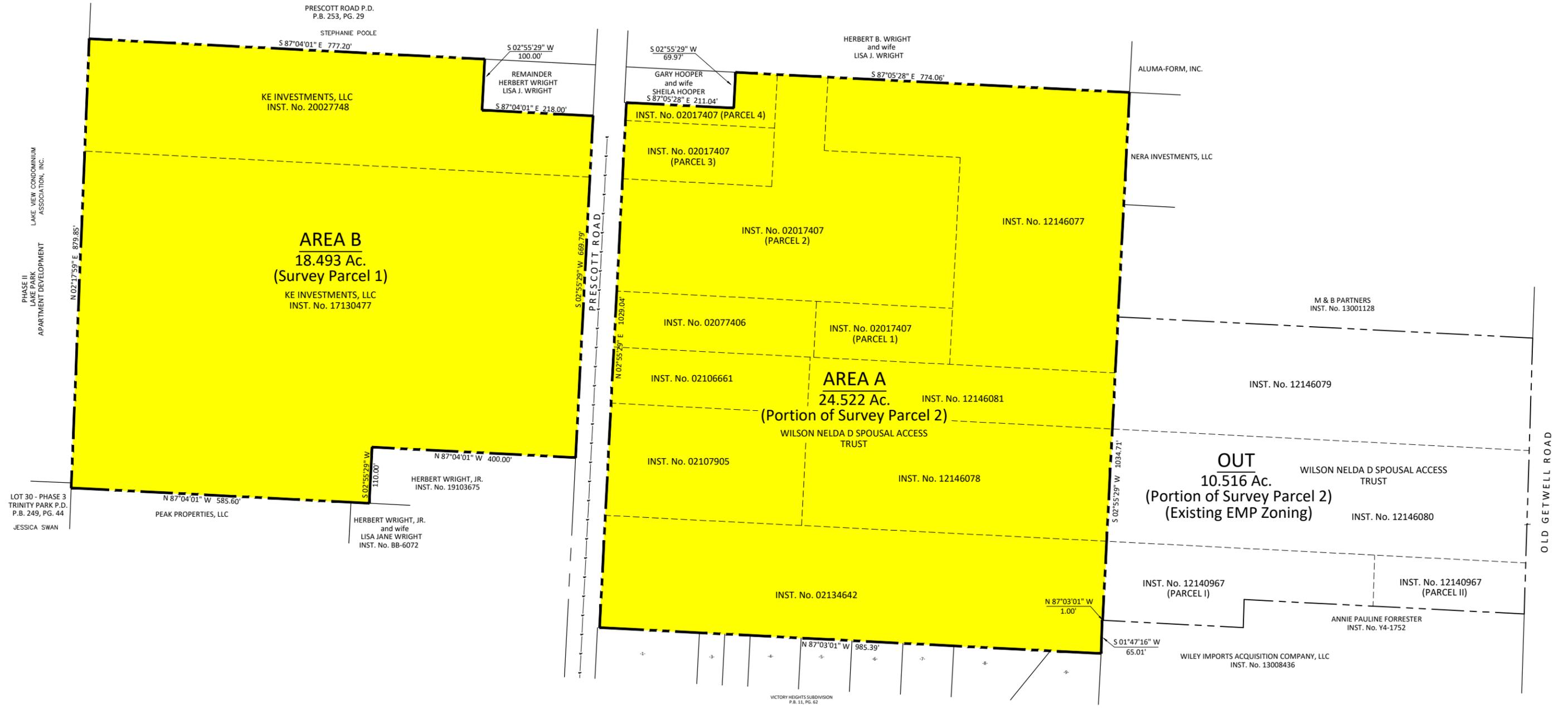
5. Homeowners' associations or some other responsible party shall be required to maintain any and all common open space and/or common elements.

Response: Acknowledged. Sole ownership and privately maintained facilities.

6. Lots of records are created with the recording of a planned development final plan.

Response: Acknowledged

PD Boundary



landscape architecture
planning

ils

INTEGRATED LAND SOLUTIONS, PLLC
9967 Bentwood Creek Cv. Collierville, Tn 38017
901.493.6996 corybrady@gmail.com

MEMPHIS AUTO AUCTION PLANNED DEVELOPMENT

AREAS A & B PROPERTY DESCRIPTIONS

Prepared by Renaissance Group, Inc.

PROPERTY DESCRIPTION

(AREA A, PORTION OF SURVEY PARCEL 2):

Description of the Robert J. Wilson and wife, Nelda D. Wilson Property recorded at Inst. Nos. 02017407, 02077406, 02106661, 02107905, 02134642, 02140967, 02146077, 02146078, 02146079, 02146080 & 02146081 in Memphis, Shelby County, Tennessee:

Beginning at a point in the east line of Prescott Road (64' R.O.W.) (34' from centerline), said point being located in the north line of Lot 1, Victory Heights Subdivision recorded in Plat Book 11, Page 62 (found rebar located 4.00' west of corner); thence north 02 degrees 55 minutes 29 seconds east with the east line of said Prescott Road, 1029.04 feet to a set 1/2" rebar with plastic cap in the south line of the Gary Hooper and wife, Sheila Hooper property recorded at Instrument Nos. AY-1348 and AY-4117; thence south 87 degrees 05 minutes 28 seconds east with the south line of said Hooper property, 211.04 feet to a found rebar; thence north 02 degrees 55 minutes 29 seconds east with the east line of said Hooper property, 69.97 feet to a set 1/2" rebar with plastic cap in the south line of the Herbert R. Wright and wife, Lisa J. Wright property recorded at Instrument No. 03020751; thence south 87 degrees 05 minutes 28 seconds east with the south line of said property recorded at Instrument No. 03020751, 774.06 feet to a found rebar in the west line of the Nera Investments, LLC property recorded at Instrument No. 17004663; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 17004663 and with the west line of the M & B Partners property recorded at Instrument No. 13001128, 1,034.71 feet to a point in the north line of the Wiley Imports Acquisition Company, LLC property recorded at Instrument NO. 13008436; thence north 87 degrees 03 minutes 01 seconds west with the north line of said property recorded at Instrument No. 13008436, 1.00 feet to a set 1/2" rebar with plastic cap; thence south 01 degrees 47 minutes 16 seconds west with the west line of said property recorded at Instrument No. 13008436, 65.01 feet to a found rebar in the north line of Lot 9 of said subdivision recorded in Plat Book 11 Page 62; thence north 87 degrees 03 minutes 01 seconds west with the north line of said subdivision recorded in Plat Book 11, Page 62, 985.39 feet to the Point of Beginning and containing 24.522 acres of land.

PROPERTY DESCRIPTION

(AREA B, SURVEY PARCEL 1):

Description of the KE Investments, LLC property recorded at Instrument Nos. 17130477 and 20027748 in Memphis, Shelby County, Tennessee:

Beginning at a set 1/2" rebar with plastic cap in the west line of Prescott Road (64' R.O.W.) (30' from centerline), said point being located in the north line of the Herbert Wright, Jr. property recorded at Instrument No. 19103675; thence north 87 degrees 04 minutes 01 seconds west with the north line of said property recorded at Instrument No. 19103675, 400.00 feet to a set pk nail; thence south 02 degrees 55 minutes 29 seconds west with the west line of said property recorded at Instrument No. 19103675, 110.00 feet to a barbed wire fence corner post in the north line of the Herbert Wright, Jr. and wife, Lisa Jane Wright property recorded at Instrument No. BB-6072; thence north 87 degrees 04 minutes 01 seconds west with the north line of said property recorded at Instrument No. BB-6072 and with the north line of the Peak Properties, LLC property recorded at Instrument No. 15056754, passing a found rebar at 36.00 feet and on for a total distance of 585.60 feet to a set 1/2" rebar with plastic cap in the east line of Lot 30, Phase 3, Trinity Park P.D. recorded in Plat Book 249, Page 44; thence north 02 degrees 17 minutes 59 seconds east with the east line of Lot 30 of said subdivision recorded in Plat Book 249, Page 44 and with the east line of Phase II, Lake Park Apartment Development recorded in Plat Book 48, Page 58, 879.85 feet to a point in the south line of Prescott Road P.D. recorded in Plat Book 253, Page 29; thence south 87 degrees 04 minutes 01 seconds east with the south line of said subdivision recorded in Plat Book 253, Page 29, passing a found metal post at 3.19 feet and on for a total distance of 777.20 feet to a set 1/2" rebar with plastic cap in the west line of the remainder of the Herbert Wright and Lisa J. Wright property recorded at Instrument No. 07087716; thence south 02 degrees 55 minutes 29 seconds west with the west line of the remainder of said property recorded at Instrument No. 07087716, 100.00 feet to a set 1/2" rebar with plastic cap; thence south 87 degrees 04 minutes 01 seconds east with the south line of the remainder of said property recorded at Instrument No. 07087716, 218.00 feet to a set 1/2" rebar with plastic cap in the west line of the aforesaid Prescott Road; thence south 02 degrees 55 minutes 29 seconds west with the west line of said Prescott Road, 669.79 feet to the Point of Beginning and containing 18.493 acres of land.

OUTLINE PLAN CONDITIONS
MEMPHIS AUTO AUCTION PLANNED DEVELOPMENT

I. USES PERMITTED

A. Area A:

1. All principal and accessory uses permitted by right in the EMP district EXCEPT the following uses shall be PROHIBITED:

- Adult oriented establishment
- Permanent Off-Premise Advertising Signs
- Amusements, Commercial Outdoor
- Campground, Travel Trailer park
- Drive-in Theatre
- Tavern, Cocktail Lounge, Night Club
- Brewery
- Bus Terminal or Service Facility
- Taxi Cab Dispatch Station
- Garbage or Refuse Collection Service
- Used Goods, Second Hand Sales
- Chemical Manufacturing
- Slaughtering Business
- Beverage Recycling Center

2. An off-site Commercial Parking and Vehicle Storage Area is permitted for the storage and display of vehicles in support of the business operations located at 3719 Old Getwell Road (Parcel #073089 00020C). The commercial parking area may be used to serve the parking needs of other businesses that locate within the planned development. Storage of inoperable vehicles shall be permitted provided all vehicles are kept intact and no salvage may occur. Refer to Auto Auction PD, Part of Area B Phase 1, recorded in PB 202, PG 40 of the Register's Office.

- B. Area B: Vehicular Sales, Surface Parking Lot, and Accessory Uses in accordance with UDC§2.9.4.F&J shall be PERMITTED. Any use not explicitly listed below shall be considered prohibited.

II. BULK REGULATIONS

The M/SC Unified Development Code Bulk Regulations for the EMP zoning district and Midtown District Overlay shall apply as modified herein. Where provisions of these conditions are in conflict with the above referenced ordinance, these provisions shall apply.

- A. Minimum Lot Area: 1-Acre (43,560sf)
- B. Minimum Lot Width: 50-feet
- C. Maximum Building Height: 60-feet
- D. Minimum Building Setbacks:
 - 1. Front (Abutting Prescott Road): 50-feet (All Areas)
 - 2. Side and Rear (*Abutting Residential Uses*):
 - Area A: 75-feet
 - Area B: 50-feet
 - *No building shall be permitted west of the TDEC Stream Buffer
 - 3. Side (*Abutting Non-residential*): 10-feet (All Areas)

III. ACCESS, PARKING AND CIRCULATION

- A. Dedicate 34 feet from the centerline of Prescott Road on the east side. Dedicate 30 feet from the centerline of Prescott road on the west side.
- B. The design and location of curb cuts to be approved by the City Engineer.
- C. Off street parking and loading spaces shall conform §4.5 of the M/SC Unified Development Code as modified herein.
- D. All parking areas, excluding designated “Vehicle Storage” areas, shall be designed in accordance with §4.5.5.D of the M/SC Unified Development Code.
- E. All parking areas, excluding designated “Vehicle Storage” areas must be surfaced with bituminous asphalt, concrete or other impervious pavement with a suitable stabilized subgrade approved by the City or County Engineer and maintained in a smooth, well-graded condition.
- F. Designated “Vehicle Storage” areas may be “non-surfaced” gravel lots in accordance with §4.5.5.C.2 of the M/SC Unified Development Code and where said lots are appropriately screened from the public right-of-way and adjacent residential land uses.

IV. LANDSCAPING and SCREENING REQUIREMENTS

- A. The landscape and screening specifications outlined in §4.6 of the M/SC Unified Development Code shall apply as modified herein.
- B. Perimeter Landscape Buffers (All Areas):
 - 1. Adjoining residential zoning designations:
Unless otherwise specified, Landscape Plate L-1 shall be required along all perimeter boundaries adjoining adjacent residential uses.
 - 2. Where the planned development adjoins properties having established commercial and/or industrial land uses, no perimeter buffer shall be required.
 - 3. (Area B) Landscape Plate L-2 shall be required along the planned development’s north boundary adjacent to the Prescott Rd PD recorded in PB 253, PG. 29.
 - 4. No additional plantings or berm shall be required where existing vegetation is preserved at a rate equivalent to the above specifications.
- C. Detention shall be permitted within all perimeter landscape buffers. Where detention is proposed, a minimum 10-wide buffer area shall be maintained and planted in accordance with Landscape Plate L-2 specifications.
- D. Streetscape Plate A-4 Modified shall be installed along all Prescott Road frontages. Where no building or parking is located within 30-feet of the Prescott right-of-way, no berm shall be required.
- E. All Commercial Parking Areas, excluding area designated as “Vehicle Storage”, shall be landscaped in accordance with §4.5.5.D of the M/SC Unified Development Code.
- F. All parking areas designated as “Vehicle Storage” shall be exempt from the §4.5.5.D landscape requirements.

V. LIGHTING REQUIREMENTS

All outdoor site lighting shall comply with §4.7 of the M/SC Unified Development Code.

VI. UNDERGROUND UTILITY LINES

All utility lines such as electric, telephone, cable television or other similar lines shall be installed underground. This requirement applies to lines serving individual sites as well as to security and street lighting within the park. However, distribution lines which service the entire site may be located above ground. All utility boxes, transformers, meters, and similar structures must be screened from public view.

VII. SIGNS

All proposed signage shall comply with §4.9 of the M/SC Unified Development Code in accordance with the EMP district regulations.

VIII. MISCELLANEOUS

- A. Phasing – Development of Area A may not proceed before Area B.
- B. No loudspeakers are permitted within the planned development.

IX. PERIOD OF VALIDITY

- A. The Outline Plan/Final Plat period of validity shall be governed by Section 9.6.14 of the Unified Development Code.
- B. Time extensions. Where applicable, an application for a time extension may be filed as a Major Modification subject to Paragraph 9.6.11E(2). An application for a time extension shall be filed prior to the date of expiration and shall be subject to the provisions of Chapter 9.16.

X. FINAL PLAN REQUIREMENTS

Any final plan shall include the following:

1. The approved outline plan conditions.
2. A standard subdivision contract for any needed public improvements.
3. The exact location and dimension including height, of all buildings or buildable areas, parking areas and number of parking spaces, drives, required landscaping, and building elevations and building materials.
4. A rendering, including plan view and elevations, of any proposed development identification signs showing the height, dimensions and design thereof.
5. The location and ownership, whether public or private, of any easement.
6. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The area denoted by "Reserve for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' associations. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City Engineer's Office. Such Maintenance shall include, but not be limited to: removal of sedimentation, fallen objects, debris and trash; moving; outlet cleaning; and repair of drainage structures.
7. A photometric lighting plan.

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 07/06/2021

DATE

PUBLIC SESSION: 07/06/2021

DATE

ITEM (CHECK ONE)

ORDINANCE CONDEMNATIONS GRANT ACCEPTANCE / AMENDMENT
 RESOLUTION GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 OTHER: _____

ITEM DESCRIPTION: A resolution approving a parking garage

CASE NUMBER: SUP 2021-011

DEVELOPMENT: Multiuse and multimodal parking garage facility

LOCATION: The block east of South Main Street between Peabody Place and Beale Street

COUNCIL DISTRICTS: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Downtown Memphis Commission

REPRESENTATIVE: Allen & Hoshall

EXISTING ZONING: Central Business District (CBD)

REQUEST: To allow a parking garage

AREA: +/-1.33 acres

RECOMMENDATION: The Office of Planning and Development recommended *Approval with conditions*
The Land Use Control Board recommended *Approval with conditions*

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**
Set hearing date for – July 6, 2021

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
 06/10/2021 _____ DATE
 (1) Land Use Control Board _____ ORGANIZATION - (1) BOARD / COMMISSION
 _____ (2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____ REQUIRES CITY EXPENDITURE - (1) YES (2) NO
 \$ _____ AMOUNT OF EXPENDITURE
 \$ _____ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____ OPERATING BUDGET
 \$ _____ CIP PROJECT # _____
 \$ _____ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

DATE

POSITION

_____	_____	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SUP 2021-011

Resolution requesting a parking garage:

- This item is a resolution with conditions for a special use permit to allow the above; and
- The Division of Planning & Development at the request of the Owner(s)/Applicant(s): Downtown Memphis Commission and Representative(s): Allen & Hoshall; and
- Approval of this special use permit will be reflected on the Memphis and Shelby County Zoning Atlas; and
- The item may require future public improvement contracts.

**RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY
LOCATED AT THE BLOCK BOUNDED BY SOUTH FRONT STREET, PEABODY PLACE,
SOUTH MAIN STREET, AND BEALE STREET, KNOWN AS CASE NUMBER SUP 2021-011.**

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for certain stated purposes in the various zoning districts; and

WHEREAS, the Downtown Memphis Commission filed an application with the Memphis and Shelby County Office of Planning and Development to allow a parking garage; and

WHEREAS, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives, and standards for special use permits as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on June 10, 2021, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted for the request use in accordance with the attached conditions.

BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

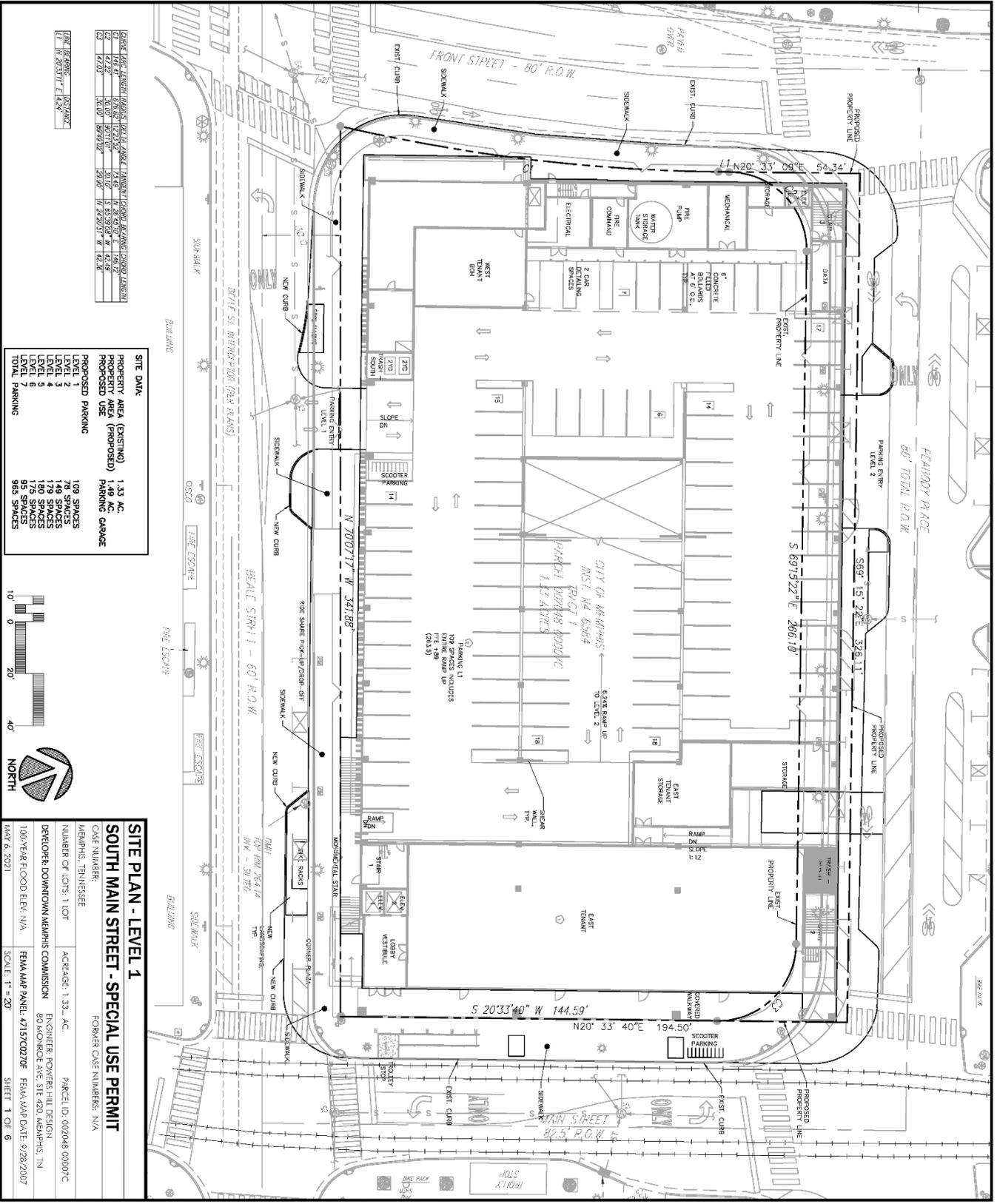
ATTEST:

**CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement**

CONDITIONS

1. A final site plan and landscape plan with streetscapes shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The proposed vacation of a section of Peabody Place right-of-way, as shown on the site plan, shall be closed either as excess right-of-way subject to the approval of the City Real Estate Department in accordance with Section 2-16-1D of the City of Memphis Code of Ordinances or the applicant shall file a street and alley closure (right-of-way vacation) application with the Division of Planning and Development.

SITE PLAN



LINE	BEARING	DISTANCE
1	N 20°33'40" E	144.59'
2	S 20°33'40" W	194.50'
3	S 69°12'22" E	266.10'
4	S 69°12'22" E	266.10'
5	N 70°07'17" W	341.88'
6	N 70°07'17" W	341.88'
7	N 70°07'17" W	341.88'
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100	N 70°07'17" W	341.88'

PROPERTY AREA (EXISTING)	1.33 AC.
PROPOSED USE	PARKING GARAGE
PROPOSED PARKING	109 SPACES
LEVEL 1	149 SPACES
LEVEL 2	180 SPACES
LEVEL 3	175 SPACES
LEVEL 4	85 SPACES
LEVEL 5	85 SPACES
LEVEL 6	85 SPACES
LEVEL 7	85 SPACES
TOTAL PARKING	890 SPACES



SITE PLAN - LEVEL 1
SOUTH MAIN STREET - SPECIAL USE PERMIT

MEMPHIS, TENNESSEE
 CASE NUMBER: [blank]
 NUMBER OF LOTS: 1 LOT
 ACREAGE: 1.33 AC.
 PARCEL ID: 002048 00007C

DEVELOPER: DOWNTOWN MEMPHIS COMMISSION
 ENGINEER: POWERS HILL DESIGN
 50 MONROE AVE, STE 400, MEMPHIS, TN
 FEWA MAP PANEL: 4715700270E
 FEWA MAP DATE: 9/28/2007

100-YEAR FLOOD ELEV: N/A
 SCALE: 1" = 20'
 SHEET 1 OF 6

AGENDA ITEM: 17

CASE NUMBER: SUP 2021-011 **L.U.C.B. MEETING:** June 10, 2021

LOCATION: The block bounded by South Front Street, Peabody Place, South Main Street, and Beale Street

COUNCIL DISTRICT: District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Downtown Memphis Commission – Brett Roler

REPRESENTATIVE: Allen & Hoshall – Roy Lamica

REQUEST: Parking garage

AREA: +/-1.33 acres

EXISTING ZONING: Central Business District (CBD)

CONCLUSIONS

1. The applicant is seeking the approval of the parking garage use.
2. The proposed project is a multi-use facility that has ground floor retail space for restaurants, retail, and a bicycle retail/storage component with showers and lockers. The +/-960 spaces parking garage is nestled amongst these uses and will be screened from public view and will create a facade that is complementary to the surrounding buildings.
3. On page 9 of this report, the orange highlighted polygon identifies an area of Peabody Place right-of-way the applicant intends to request to be vacated. Note this section of right-of-way may be closed administratively as excess right-of-way subject the approval of the City Real Estate Department.
4. This project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

CONSISTENCY WITH MEMPHIS 3.0

This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 17-19 of this report.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage:	Beale Street	+/-341.00 linear feet
	Front Street (existing)	+/-170.02 curvilinear feet
	Front Street (proposed)	+/-200.75 curvilinear feet
	Peabody Place (existing)	+/-313.23 curvilinear feet
	Peabody Place (proposed)	+/-326.11 linear feet
	Main Street (existing)	+/-168.11 curvilinear feet
	Main Street (proposed)	+/-194.50 linear feet

Zoning Atlas Page: 2025

Parcel ID: 002048 00007C

Existing Zoning: Central Business District (CBD)

NEIGHBORHOOD MEETING

The meeting was held at 5:30 PM on Thursday, May 27, 2021, at the Downtown Memphis Commission, 114 North Main Street.

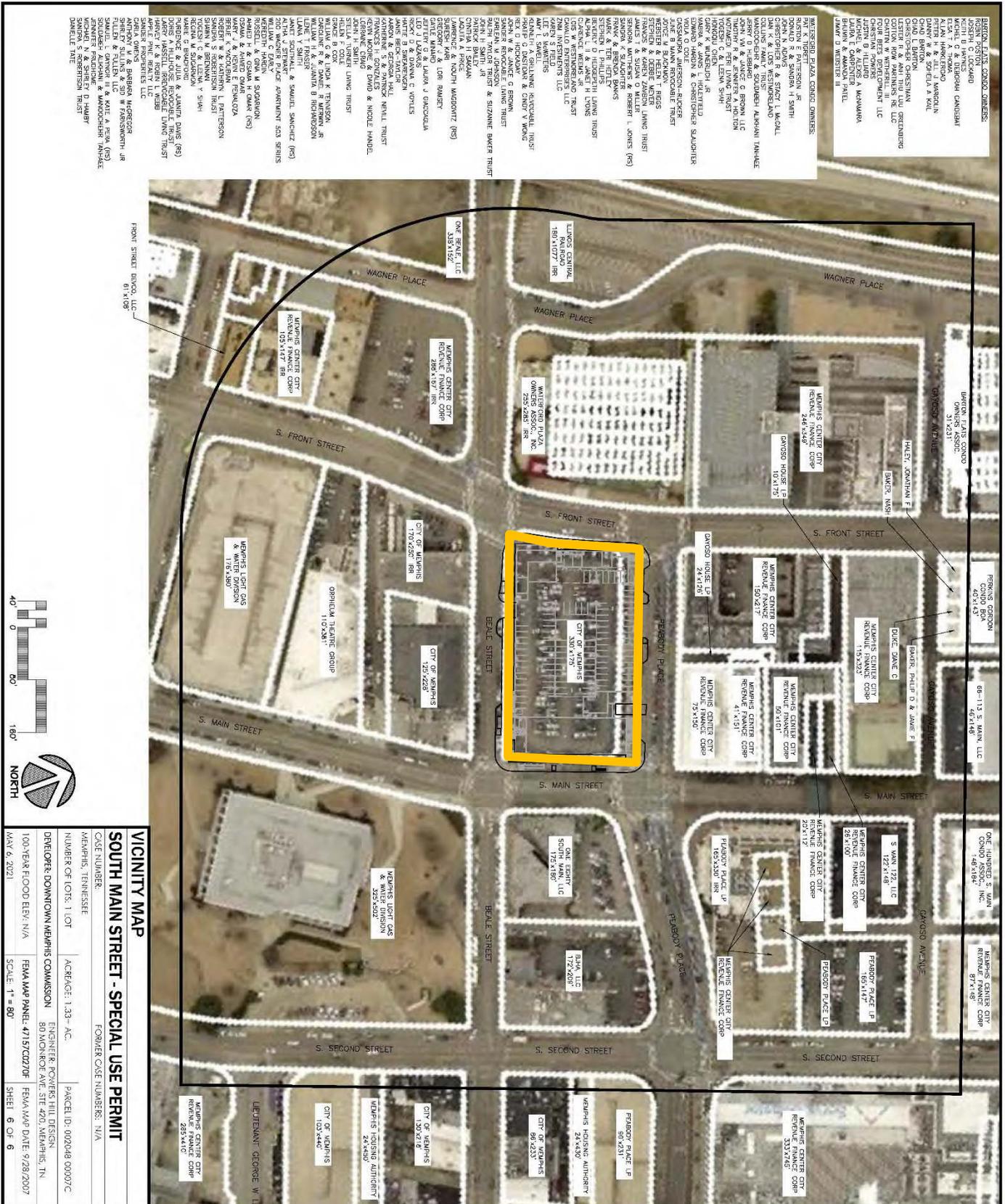
PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 158 notices were mailed on May 27, 2021, and public notice was posted at the subject property. The sign affidavit has been added to this report.

LOCATION MAP

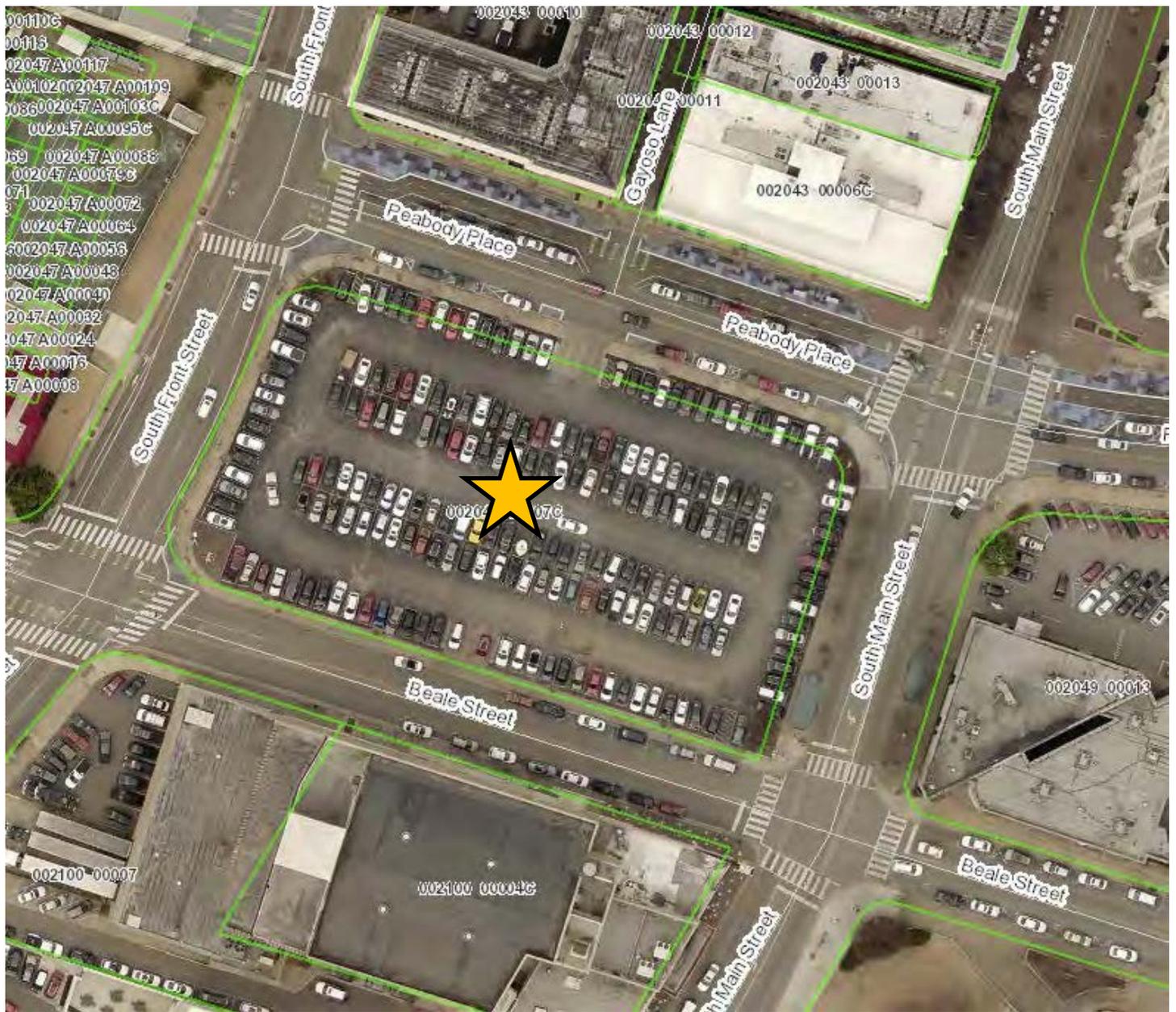


Subject property located within the pink circle, Downtown neighborhood



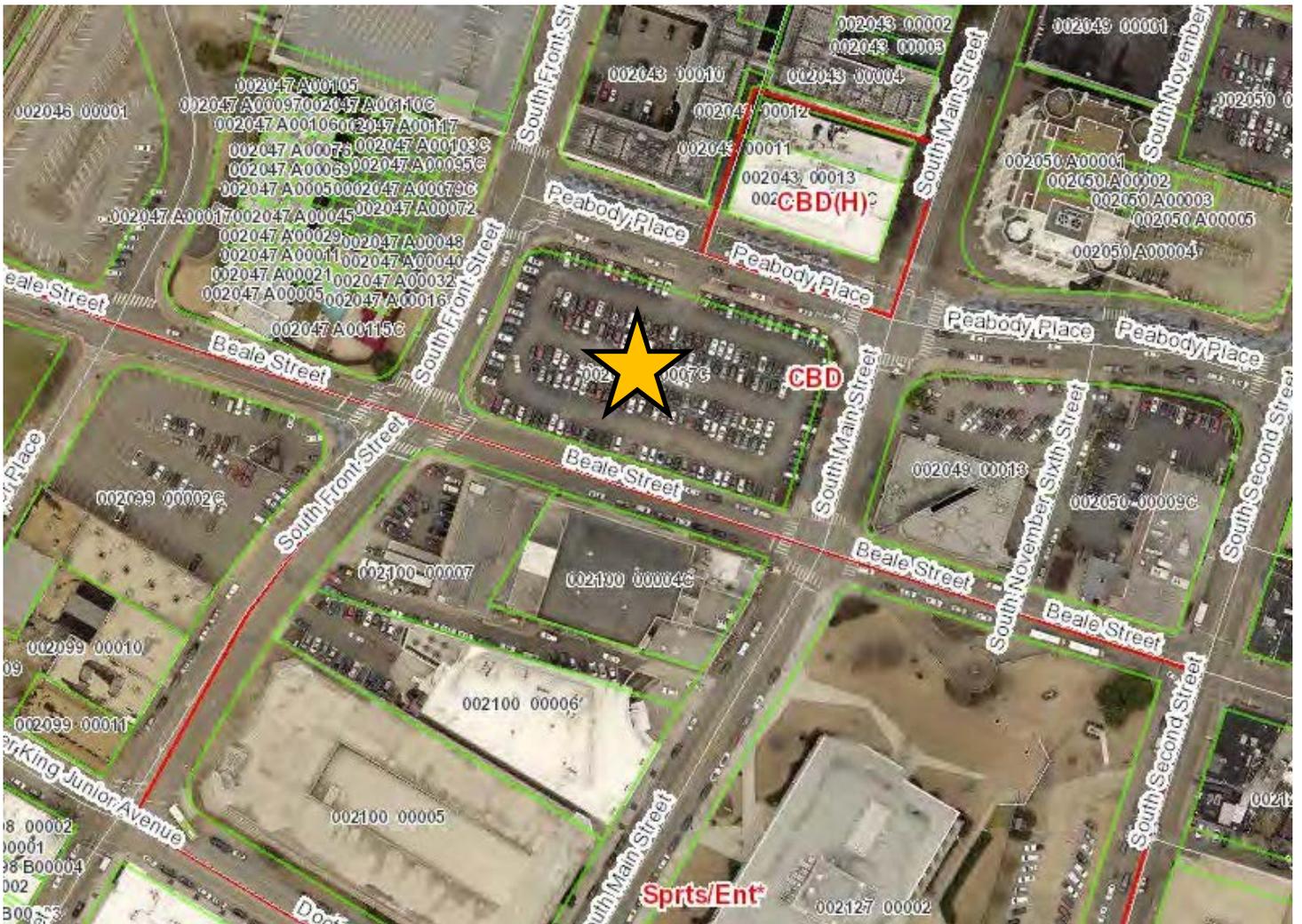
Site outlined in orange

AERIAL



Subject property indicated by an orange star, imagery 2018

ZONING MAP



Subject property indicated by an orange star

Existing Zoning: Central Business District (CBD)

Surrounding Zoning

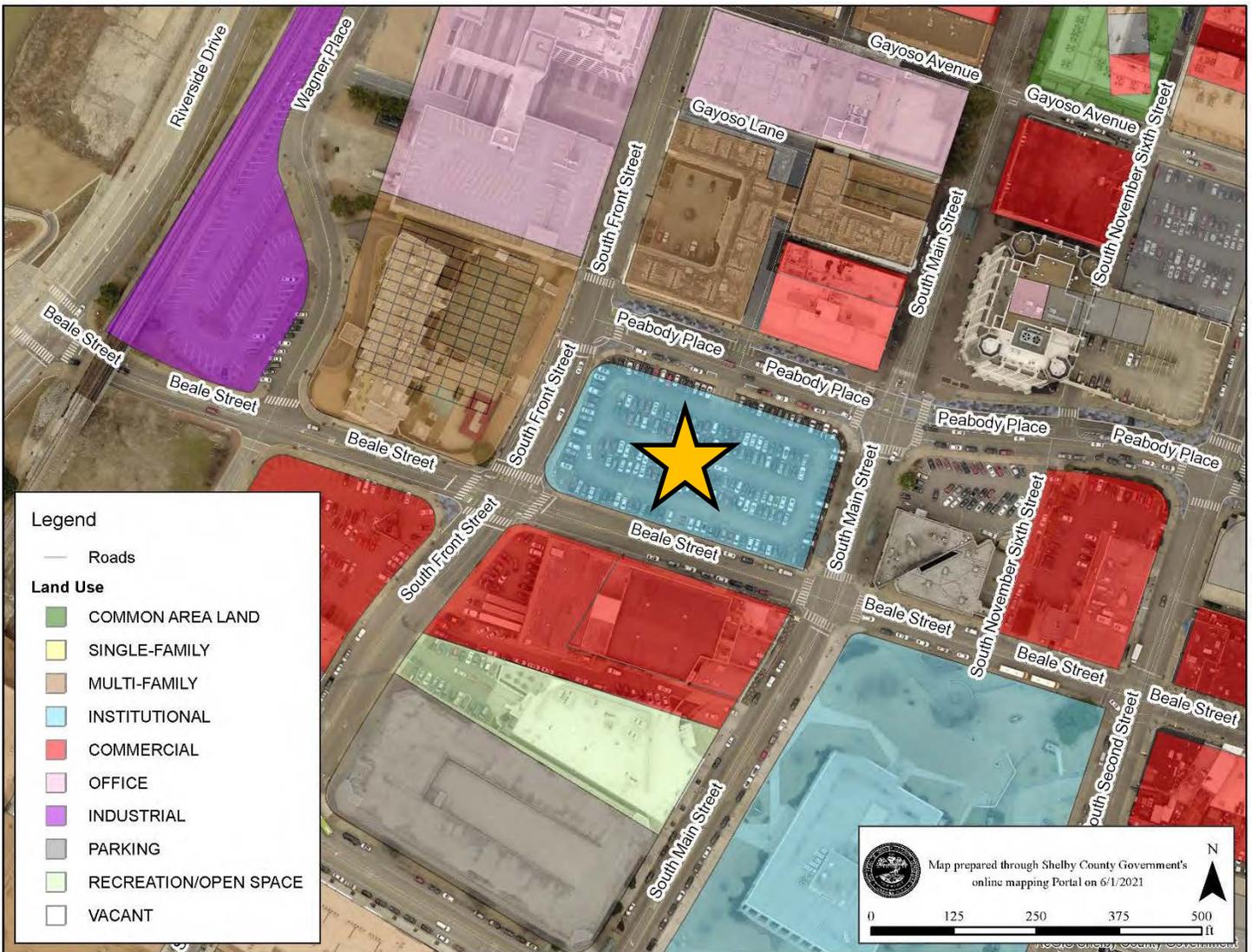
North: Central Business District (CBD) and Historical

East: Central Business District (CBD)

South: Sports & Entertainment District (SPRts/Ent*)

West: Central Business District (CBD)

LAND USE MAP



Subject property indicated by an orange star

SITE PHOTOS

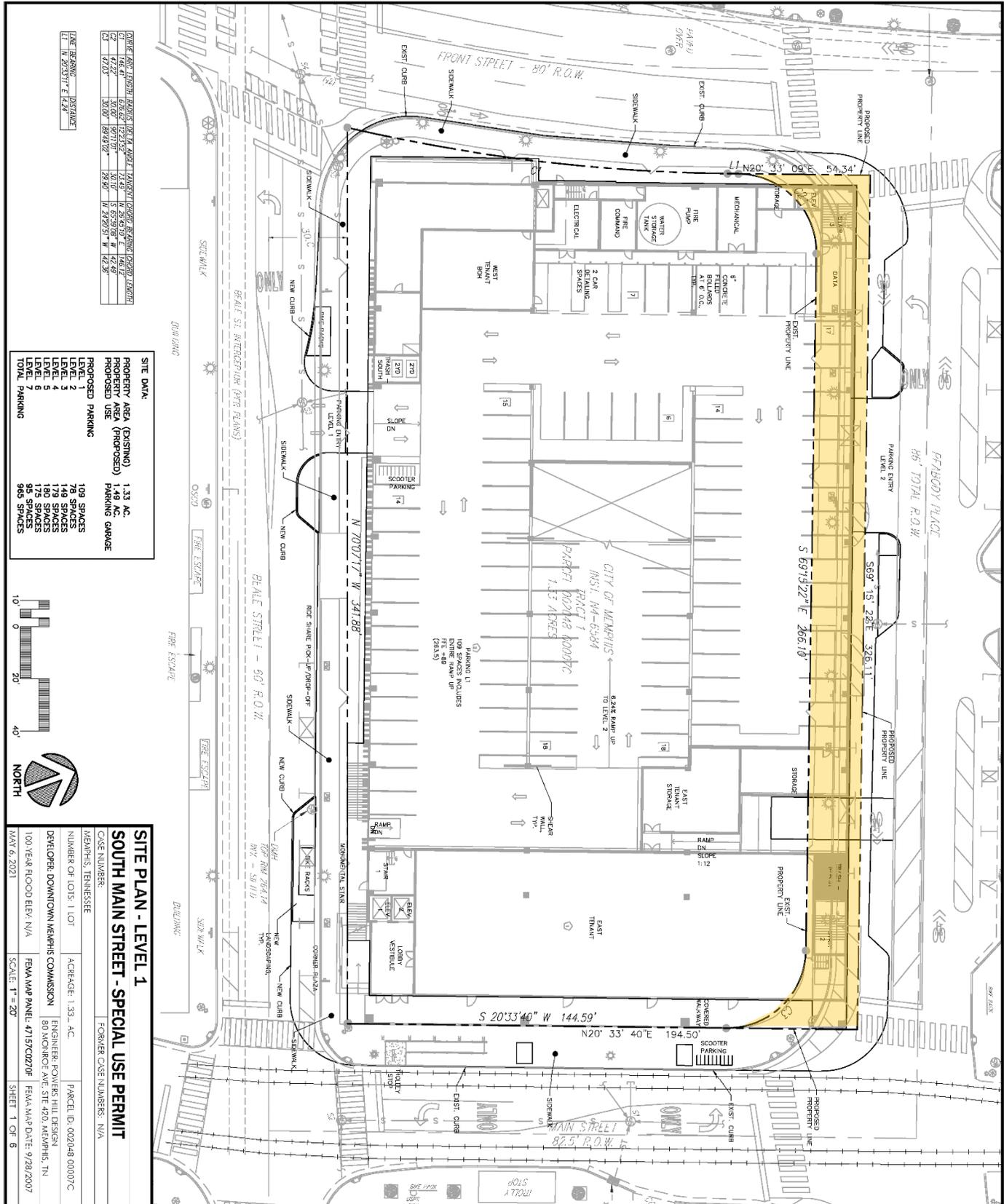


View of subject property from the intersection of South Main Street and Peabody Place



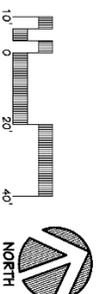
View of subject property from the intersection of South Front Street and Beale Street

SITE PLAN – LEVEL ONE



LINE	BEARING	DISTANCE
1	N 20° 33' 40" E	144.59'
2	S 69° 13' 22" E	206.10'
3	S 69° 13' 22" E	206.10'
4	N 20° 33' 40" E	144.59'

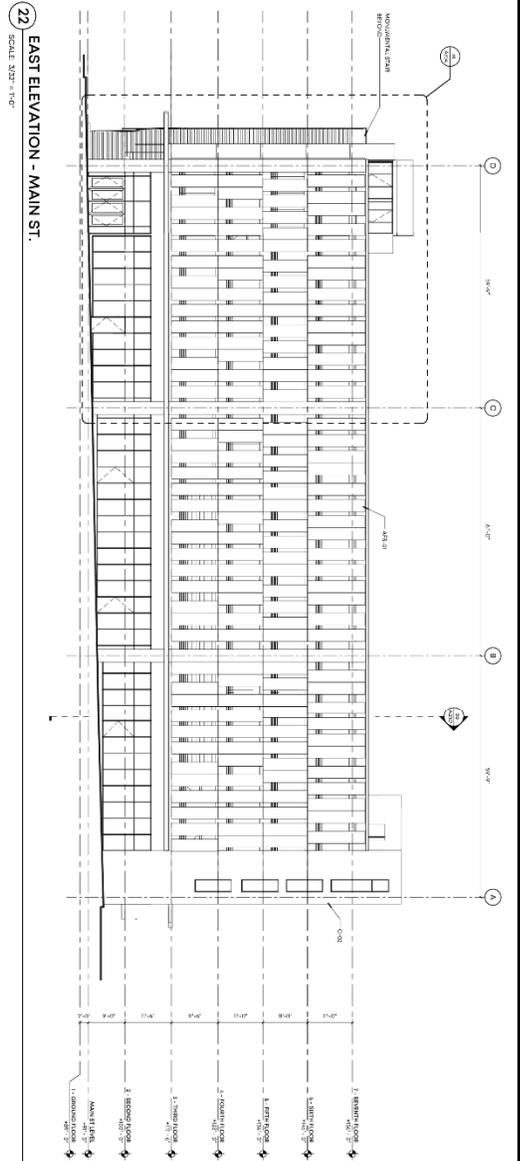
SITE DATA:	
PROPERTY AREA (EXISTING)	1.33 AC.
PROPERTY AREA (PROPOSED)	1.49 AC.
PROPOSED USE	PARKING GARAGE
PROPOSED PARKING	
LEVEL 1	109 SPACES
LEVEL 2	146 SPACES
LEVEL 3	179 SPACES
LEVEL 4	180 SPACES
LEVEL 5	95 SPACES
LEVEL 6	95 SPACES
LEVEL 7	95 SPACES
TOTAL	985 SPACES



SITE PLAN - LEVEL 1	
SOUTH MAIN STREET - SPECIAL USE PERMIT	
MEMBERS, TENNESSEE	FORWARD CASE NUMBERS, N/A
CASE NUMBER	
NUMBER OF LOTS: 1 LOT	ACREAGE: 1.33 AC.
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION	ENGINEER: POWERS HILL DESIGN
100 YEAR FLOOD ELEV: N/A	80 MONROE AVE. STE 420 MEMPHIS, TN
JAN 6 2021	EMMA MAP PANEL: 47157022706
SCALE: 1" = 20'	EMMA MAP DATE: 9/28/2007
	SHEET: 1 OF 8

Note the area outlined in orange is currently public right-of-way

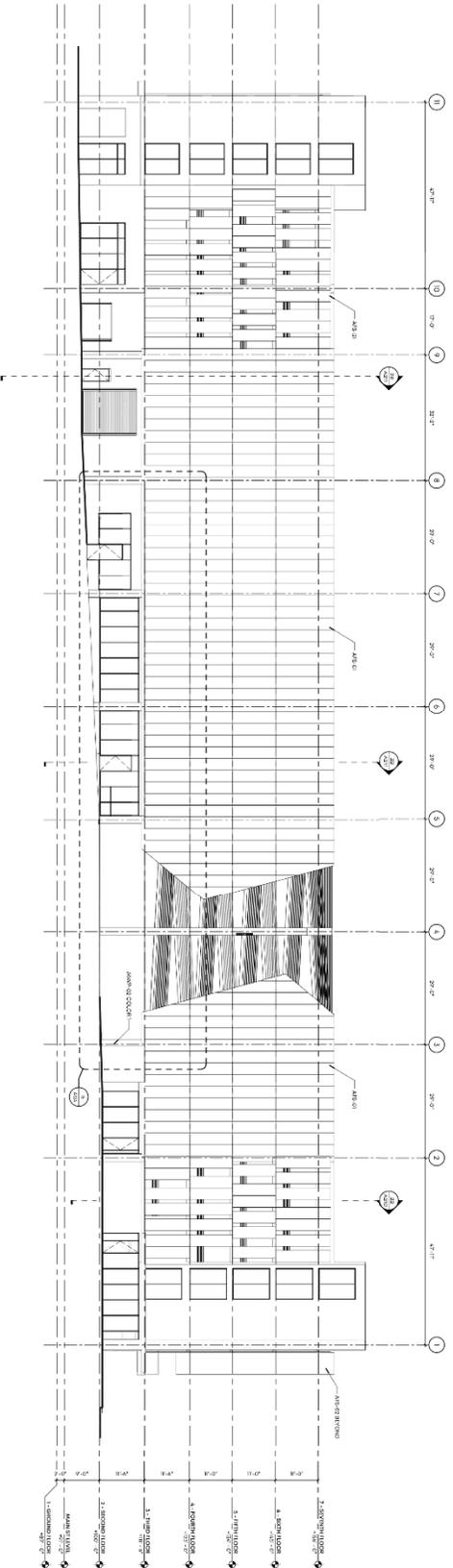
ELEVATIONS



22 EAST ELEVATION - MAIN ST.
SCALE: 3/8" = 1'-0"

MATERIAL KEYNOTE LEGEND

Key Note	Approved Name
1	CONCRETE
2	BRICK
3	GLAZED ALUMINUM CURTAIN WALL
4	GLAZED ALUMINUM WINDOW
5	GLAZED ALUMINUM DOOR
6	GLAZED ALUMINUM SIGN
7	GLAZED ALUMINUM SIGN
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100	GLAZED ALUMINUM SIGN



36 NORTH ELEVATION - PEABODY
SCALE: 3/8" = 1'-0"

SITE DATA
PROPERTY AREA (EXISTING) 1.33 AC.
PROPOSED AREA (PROPOSED) 1.33 AC.
PROPOSED USE PARKING GARAGE

BUILDING ELEVATIONS

SOUTH MAIN STREET - SPECIAL USE PERMIT

CASE NUMBER	FORWARD CASE NUMBERS: N/A
MEMBERSHIP, TENNESSEE	
NUMBER OF LOTS: 1 LOT	PARCEL ID: 002048 00007C
AGE: 1.33± AC.	
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION	ENGINEER: POWERS HILL DESIGN
100-YEAR FLOOD ELEV: N/A	80 MONROE AVE, STE 420, MEMPHIS, TN
	FEA/MAP PANEL: 47157CDZ01F
	FEA/MAP DATE: 9/28/2007
MAY 6, 2021	SCALE: 1" = 20'
	SHEET 4 OF 6

STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

The request is for a Parking garage.

Approval Criteria

Staff agrees the approval criteria in regard special use permits as set out in Section 9.6.9 of the Unified Development Code are met.

9.6.9 Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

- 9.6.9A The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.*
- 9.6.9B The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.*
- 9.6.9C The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.*
- 9.6.9D The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.*
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.*
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.*
- 9.6.9H Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.*

Site Description

The subject property is +/-1.33 acres and compromised of one parcel (002048 00007C); located within the block bounded by South Front Street, Peabody Place, South Main Street, and Beale Street in the downtown neighborhood; and zoned Central Business District (CBD). Per the Assessor's Office, the surrounding land uses are a mixture of commercial, multifamily, and institutional.

Conclusions

The applicant is seeking the approval of the parking garage use.

The proposed project is a multi-use facility that has ground floor retail space for restaurants, retail, and a bicycle retail/storage component with showers and lockers. The +/-960 spaces parking garage is nestled amongst these uses and will be screened from public view and will create a façade that is complementary to the surrounding buildings.

On page 9 of this report, the orange highlighted polygon identifies an area of Peabody Place right-of-way the applicant intends to request to be vacated. Note this section of right-of-way may be closed administratively as excess right-of-way subject the approval of the City Real Estate Department.

This project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. A final site plan and landscape plan with streetscapes shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The proposed vacation of a section of Peabody Place right-of-way, as shown on the site plan, shall be closed either as excess right-of-way subject to the approval of the City Real Estate Department in accordance with Section 2-16-1D of the City of Memphis Code of Ordinances or the applicant shall file a street and alley closure (right-of-way vacation) application with the Division of Planning and Development.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City/County Engineer:

1. Standard Subdivision Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. The availability of City sanitary sewer is unknown at this time. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.
3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

Roads:

4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
5. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.
6. Dedicate radius at corners of proposed property line to maintain five (5) foot minimum ADA pathway.
7. A R.O.W. vacation application may be required to accommodate the footprint of the proposed garage.

Traffic Control Provisions:

8. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5 foot wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5 foot clear pedestrian path, an exception may be considered.
9. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
10. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study

will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

11. The City Engineer shall approve the design, number and location of curb cuts.
12. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
13. Ensure clear sight triangles exist at all exits (reflect on site plan).
14. Reflect turning movement templates for all exits on site plan.

Drainage:

15. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
16. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
17. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
18. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

City/County Fire Division:

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).
- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

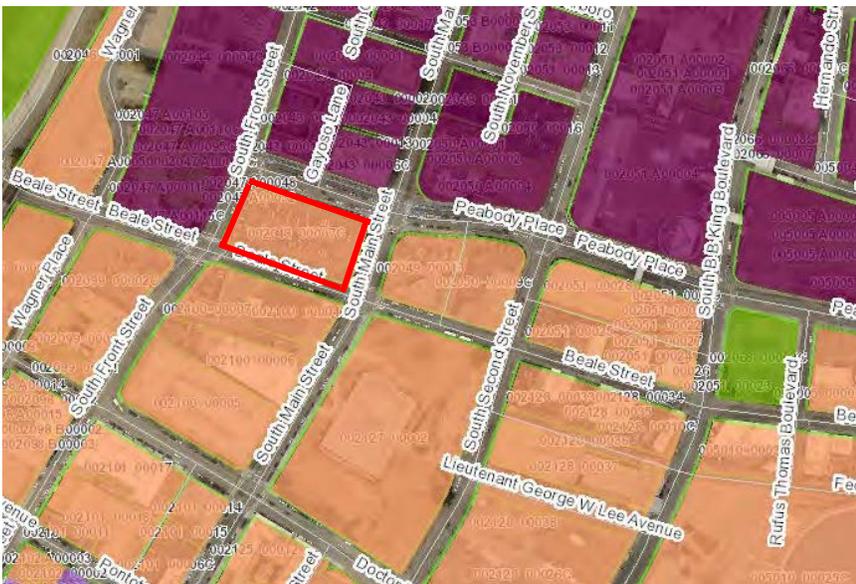
- Shelby County Schools:** No comments received.
- Construction Code Enforcement:** No comments received.
- Memphis Light, Gas and Water:** No comments received.
- Office of Sustainability and Resilience:** No comments received.

Office of Comprehensive Planning:

Site Address/location: 0 S Main Street, Bound by Peabody Place, S Front, Beale, & S Main
Land Use Designation: Accelerate Anchor Neighborhood - Urban

Based on the future land use and degree of change map the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

1. FUTURE LAND USE PLANNING MAP



The red box indicates the application site on the Future Land Use Map.

2. Land use description & applicability:

Urban Anchor Neighborhood are destinations for public and private amenities that are within walking distance to a Citywide Anchor. Most buildings are between three and seven stories with an occasional high rise and are a mixture of attached and unattached. The scale of buildings is largely at the block level with some multiplex footprints, making an Anchor Neighborhood – Urban a diverse living and shopping community surrounding a local anchor. Green space may be interspersed to provide community common space. See graphic portrayal to the right.



“AN-U Goals/Objectives:

Support continued reinvestment and intensification of areas within walking distance to urban core, medical, educational anchors.

“AN-U” Form & Location Characteristics:

ACCELERATE: Buildings, attached, semi-detached, and detached that are primarily block-scale with some house scale. Building heights are one to eight stories with an occasional high-rise and contain residential, commercial, or a mix of uses. Primarily within ¼ mile of a Citywide Anchor.

The applicant is seeking approval for a special use permit to replace a current parking lot with a mobility center that will include – automobile/bicycle parking, retail, and mobility components (bike, rideshare, scooters). The request meets the criteria in the form of building height and includes a mix of uses. Additionally, the new development will improve multi-modal transportation options, increase the mix of uses, and reduce surface parking with structured parking and parking demand management options. Therefore, the request is consistent.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land uses: Sports/Entertainment, Central Business District and South Main (Special District). The subject site is surrounded by the following zoning districts: Sprts/Ent, CBD (H), SM. This requested use is compatible with the adjacent land use because *existing land use surrounding the parcels is similar in nature to the requested use.*

4. DEGREE OF CHANGE MAP



The red box indicates the application site. There degree of change is Accelerate.

5. Degree of Change Description

Accelerate areas rely on a mix of primarily private and philanthropic resources along with some public resources to intensify the existing pattern of a place.

Actions for Accelerate anchors and anchor neighborhoods are meant to:

- Improve public realm and infrastructure
- Improve multi-modal transportation options
- Speed up development activity
- Increase density
- Increase mix of uses
- Promote and protect affordable housing

Ways to Accelerate:

- Increase building height
- Allow greater mix of uses
- Attract retail and service uses that cater to larger-scale markets
- Reduce building setbacks or establish build-to lines
- Construct new streets or pathways to increase connectivity within large sites
- Consolidate smaller lots into larger parcels that are more attractive for development
- Consider tax increment financing (TIF) districts
- Improve or create parks and civic assets
- Promote pedestrian-oriented infill development
- Reduce surface parking in favor of structured parking and parking demand management options

Based on the information provided, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

APPLICATION



Memphis and Shelby County
Office of Planning and Development
CITY HALL 125 NORTH MAIN STREET-SUITE 477 MEMPHIS, TENNESSEE 38103-2084 (901) 636-6619

APPLICATION FOR SPECIAL USE PERMIT
APPROVAL/AMENDMENT

Date: 5/6/2021

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: Downtown Memphis Commission Phone #: 901-575-0571

Mailing Address: 114 N Main Street City/State: Memphis, TN Zip 38103

Property Owner E-Mail Address: roler@downtownmemphis.com

Applicant: Brett Roler Phone # 901-575-0571

Mailing Address: 114 N Main Street City/State: Memphis, TN Zip 38103

Applicant E- Mail Address: roler@downtownmemphis.com

Representative: Allen & Hoshall (Roy D. Lamica) Phone #: 901-261-4688

Mailing Address: 1661 International Drive, Suite 100 City/State: Memphis, TN Zip 38120

Representative E-Mail Address: rlamica@allenhoshall.com

Engineer/Surveyor: Powers Hill Design (Nisha Powers) Phone # 901-543-8000

Mailing Address: 80 Monroe Avenue City/State: Memphis, TN Zip 38103

Engineer/Surveyor E-Mail Address: npowers@phdmemphis.com

Street Address Location: 0 S. Main Street

Distance to nearest intersecting street: Site is bound by Peabody Place, South Front Street, Beale Street and South Main Street

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	1.33		
Existing Zoning:	CBD		
Existing Use of Property	Surface Parking		
Requested Use of Property	Parking Garage		

Amendment(s): Any revision to an approved Special Use Permit that does not meet the provisions for Major or Minor Modifications shall be proposed as an amendment. Time extensions (see Subsection 9.6.14B of the UDC) to and requests to exceed 24-month limitation on discontinuance (see Subsection 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16.

Yes _____ No^x _____

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: _____ Bedrooms: _____

Expected Appraised Value per Unit: _____ or Total Project: _____

Variations: If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices, including neighborhood meeting notification, for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. All neighborhood notification and public notices shall meet the timing provided in Sections 9.3.2 and 9.3.4 of the UDC. In lieu of a BOA application being filed, this application for a Special Use Permit may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

I (we) hereby make application for the Special Use Permit described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Property Owner of Record

Date

Applicant

Paul Young
5/8/21

Date

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: Apr. 8, 2021 with Norman Saliba

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2). The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

Neighborhood Meeting Requirement Met: Yes Not yet
(If yes, documentation must be included with application materials)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

9.6.9 Special Use Permit Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC sub-section 9.6.9A).

This project will not have any adverse effects upon the adjacent properties and strives to create a more inviting, neighborhood friendly place to visit and enjoy downtown. This project will create new retail and parking.

- The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations (UDC sub-section 9.6.9B).

This project will be compatible with the immediate vicinity and will not interfere with the development or use of adjacent properties. The look and feel of the new building will be compatible with others in the immediate vicinity.

- The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services (UDC sub-section 9.6.9C).

This project is located on four streets, has adequate access to public transit, fire protection and emergency services, will create additional parking and has access to public utilities.

- The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance (UDC sub-section 9.6.9D).

The existing site is currently an asphalt surface parking lot with no significant features.

- The project complies with all additional standards imposed on it by any particular provisions authorizing such use (UDC sub-section 9.6.9E).

This project will comply with standards outlined in the UDC.

- The request will not adversely affect any plans to be considered (see UDC Chapter 1.9) or violate the character of existing standards for development of the adjacent properties (UDC sub-section 9.6.9F).

This project will not adversely affect any plans or violate the character of existing standards for development of the adjacent properties. The proposed use will be the same as the current use for parking.

LETTER OF INTENT



May 3, 2021

Mr. Chip Saliba
Deputy Administrator – Development Services
Land Use and Development Services
Division of Planning and Development
125 N. Main Street, Room 468
Memphis, TN 38103

**RE: Letter of Intent – Special Use Permit
DMC Mobility Center**

Dear Mr. Saliba,

The intent of this project is to provide a mobility center with parking, retail, and mobility (bike, rideshare, scooter etc.) components. The existing project site is a surface parking lot in the central business district. The proposed project is a multi-use facility that has ground floor retail space for restaurants, retail and a bicycle retail/storage component with showers and lockers. The parking garage which is nestled amongst these uses is a +/-960 car parking garage. The parking garage component of the project will be screened from public view and will create a façade that is complementary to the rich architectural history of the surrounding buildings. The professional consultants associated with this proposed development are LRK, Powers Hill Design, Allen and Hoshall, Haltom Engineering, Liles Engineering, THA Consulting, Kersey Wike, WJHW, CM Kling, and CSA Engineering.

Sincerely,

ALLEN & HOSHALL

Roy D. Lamica, P.E.
Principal

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Brennan Clement, being duly sworn, depose and say that at 10:20 am/pm on the 21 day of May, 2021, I posted a Public Notice Sign(s) pertaining to Case No. SUP-2021-011 at S Front St and Peabody Pl, providing notice of a Public Hearing before the x Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, x Special Use Permit, Zoning District Map Amendment, Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

[Signature]
Owner, Applicant or Representative

5/21/2021
Date

Subscribed and sworn to before me this 21st day of May, 2021.

[Signature]
Notary Public

My commission expires: 10-23-2021



My Comm. Exp. 10-23-2021

LETTERS RECEIVED

No letters received at the time of completion of this report.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, June 10, 2021**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 2021-011

LOCATION: The block bounded by South Front Street, Peabody Place, South Main Street, and Beale Street (Parcel ID: 002048 00007C)

COUNCIL DISTRICT(S): District 6 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Downtown Memphis Commission

REPRESENTATIVE: Allen & Hoshall

REQUEST: Parking garage

EXISTING ZONING: Central Business District (CBD)

AREA: +/-1.33 acres

The following spoke in support of the application: Jason Weeks

The following spoke in opposition the application: Charles Belenky

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions.

The motion passed by a vote of 8-0 on the regular agenda.

Respectfully,



Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SUP 2021-011

CONDITIONS

1. A final site plan and landscape plan with streetscapes shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The proposed vacation of a section of Peabody Place right-of-way, as shown on the site plan, shall be closed either as excess right-of-way subject to the approval of the City Real Estate Department in accordance with Section 2-16-1D of the City of Memphis Code of Ordinances or the applicant shall file a street and alley closure (right-of-way vacation) application with the Division of Planning and Development.



**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

June 10, 2021

Downtown Memphis Commission
114 N Main Street
Memphis, TN 38103

Sent via electronic mail to: roler@downtownmemphis.com

Case Number: SUP 2021-011
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, June 10, 2021, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow a parking garage located within the block bounded by South Front Street, Peabody Place, South Main Street, and Beale Street (Parcel ID: 002048 00007C), subject to the following conditions:

1. A final site plan and landscape plan with streetscapes shall be submitted for administrative review and approval by the Division of Planning and Development.
2. The proposed vacation of a section of Peabody Place right-of-way, as shown on the site plan, shall be closed either as excess right-of-way subject to the approval of the City Real Estate Department in accordance with Section 2-16-1D of the City of Memphis Code of Ordinances or the applicant shall file a street and alley closure (right-of-way vacation) application with the Division of Planning and Development.

This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via

Letter to Applicant
SUP 2021-011

email at jeffrey.penzes@memphistn.gov.

Respectfully,

A handwritten signature in blue ink, appearing to read 'JP', is positioned above the typed name.

Jeffrey Penzes
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Roy Lamica of Allen & Hoshall
File



MEMPHIS AND SHELBY COUNTY

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: May 6, 2021

Record Number: SUP 2021-011

Expiration Date:

Record Name: Allen + Hoshell

Description of Work: Provide mobility center w/ parking, retail, and mobility components.

Parent Record Number:

Address: 0 S Main, TN

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	allen + hoshell	, TN	

Parcel Information

Parcel No:
C0244 00515

Contact Information

Name	Organization Name	Contact Type	Phone
	Allen and Hoshall	Applicant	(901) 575-0571

Suffix:
Address

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1295444	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	05/06/2021		PLNGSPUSE 01

Total Fee Invoiced: \$500.00

Total Balance: \$0.00

Payment Information

Payment Amount	Method of Payment
\$500.00	Cash
\$500.00	Check

Data Fields**PREAPPLICATION MEETING**

Preapplication Meeting	No
Date of Meeting	-
Name of OPD Planner	-

GENERAL PROJECT INFORMATION

Application Type	New Special Use Permit
Previous Case Number	-
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information	-

APPROVAL CRITERIA

The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC Sub-Section 9.6.9A).

UDC Sub-Section 9.6.9B	see attached doc
UDC Sub-Section 9.6.9C	see attached doc
UDC Sub-Section 9.6.9D	see attached doc
UDC Sub-Section 9.6.9E	see attached doc
UDC Sub-Section 9.6.9F	see attached doc

GIS INFORMATION

Case Layer	-
Central Business Improvement District	No
Class	C
Downtown Fire District	No
Historic District	-
Land Use	OFFICE
Municipality	COLLIERVILLE
Overlay/Special Purpose District	-
Zoning	MPO
State Route	-
Lot	-
Subdivision	-
Planned Development District	-



Memphis and Shelby County
Office of Planning and Development
 CITY HALL 125 NORTH MAIN STREET-SUITE 477 MEMPHIS, TENNESSEE 38103-2084 (901) 636-6619

**APPLICATION FOR SPECIAL USE PERMIT
 APPROVAL/AMENDMENT**

Date: _____

Case #: _____

PLEASE TYPE OR PRINT

Property Owner of Record: _____ Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Property Owner E-Mail Address: _____

Applicant: _____ Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Applicant E- Mail Address: _____

Representative: _____ Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Representative E-Mail Address: _____

Engineer/Surveyor: _____ Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Engineer/Surveyor E-Mail Address: _____

Street Address Location: _____

Distance to nearest intersecting street: _____

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	_____	_____	_____
Existing Zoning:	_____	_____	_____
Existing Use of Property	_____	_____	_____
Requested Use of Property	_____	_____	_____

Amendment(s): Any revision to an approved Special Use Permit that does not meet the provisions for Major or Minor Modifications shall be proposed as an amendment. Time extensions (see Subsection 9.6.14B of the UDC) to and requests to exceed 24-month limitation on discontinuance (see Subsection 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16.

Yes _____ No _____

Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: _____ Bedrooms: _____

Expected Appraised Value per Unit: _____ or Total Project: _____

9.6.9 Special Use Permit Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC sub-section 9.6.9A).

- The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations (UDC sub-section 9.6.9B).

- The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services (UDC sub-section 9.6.9C).

- The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance (UDC sub-section 9.6.9D).

- The project complies with all additional standards imposed on it by any particular provisions authorizing such use (UDC sub-section 9.6.9E).

- The request will not adversely affect any plans to be considered (see UDC Chapter 1.9) or violate the character of existing standards for development of the adjacent properties (UDC sub-section 9.6.9F).

**GUIDE FOR SUBMITTING
SPECIAL USE PERMIT/AMENDMENT APPLICATION**

A. **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) This application, 8.5"x11" Site/Concept Plan, Plot Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24"Site/Concept Plan (folded) and a copy of Deed(s).
- 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD".

(For additional information concerning these requirements contact Land Use Control Section at (901) 636-6619.)

B. **LETTER OF INTENT** - The letter shall include the following:

- a) A brief narrative statement generally describing the nature, location and extent of the development and the market it is intended to serve.
- b) A list of any professional consultants associated with the proposed development.
- c) A written statement generally describing the relationship of the proposed development to the current policies and plans of the City and County. The statement shall include how the proposed development is to be designed, arranged and operated in order to limit impact to neighboring properties.
- d) A description of the applicant's planning objectives and the approaches to be followed in achieving those objectives.
- e) For applications for CMCS (cell) towers, the letter of intent shall also commit the tower owner and his or her successors to allow shared use of the tower **if** capacity exists based on existing and planned use (see UDC Sub-Item 2.6.2I(2)(a)(5)).

C. **REGISTERED LAND SURVEYOR'S SURVEY**

Two (2) copies of a survey (of recent origin showing everything existing on the subject property at the time of filing, and in no instance can it be over one year old) of the subject property, drawn to an engineering scale by a registered land surveyor (licensed in Tennessee), on 8 ½ x 11 inches sheets. The survey must indicate the dimensions and location of all existing structure(s) and improvement(s); property dimensions and amount of land area; dimensions and location of off-street parking facilities and curb cut(s); and the established setbacks of the existing structure(s) on the site and on the adjoining properties. (Please Note: The requirements for a survey may be waived by the Planning Director.)

D. **SITE/CONCEPT PLAN**

Two (2) copies of the site/concept plan shall be submitted and depict the following: (a) property boundary lines and dimensions, existing utilities and easements, roadways, rail lines and public rights-of-way, crossing adjacent to the subject property; (b) the proposed height, dimensions and arrangements of buildings on the property; (c) the type and location of proposed landscaping; (d) the location of points of ingress/egress (driveways), parking lots and loading areas on the site; and (e) any proposed substantial re-grading of the site and any significant topographical or physical features of the site including water courses or ponds. Site/Concept plan shall be drawn at a scale of not less 1"=100' for developments of less than 150 acres, 1"=200' for developments between 150 and 1,000 acres, and 1"=300' feet for developments in excess of 1,000 acres.

- E. **PLOT PLAN AND LEGAL DESCRIPTION**
1) Two (2) copies of the plot plan, drawn to scale (1"=50', =100' or =200'), showing each parcel to be considered. Two or more parcels may be described on one sheet. If property is encumbered by easements, show type and location on plot plan.
2) Two (2) copies of legal description shall be attached to plot plan if not shown or described on the plan.
- F. **ELEVATIONS** – Two (2) copies of building elevations *may* be required upon request by the Office of Planning and Development. Factors that will be taken into consideration by the Office of Planning and Development in its determination that building elevations are required are surrounding land uses, frontage requirements and proximity of the requested building(s) to the public right-of-way.
- G. **VICINITY MAP**
Two (2) copies showing the subject property (boldly outlined) and all parcels within a 500' radius. If the 500' radius includes less than 25 property owners, the radius shall be extended at 100' intervals to reach a minimum of 25 property owners provided, however, that the maximum total radius is 1,500'. Show for each parcel its dimensions, owner's name (on the vicinity map unless prior approval is given to do otherwise) and the public streets, alleys or private drives that it abuts. In situations where the parcels on the map are so small that the property owner's names are unable to fit and numbered legend is used, every effort should be made to place the legend on the map itself and not a separate sheet.
- H. **LIST OF NAMES AND ADDRESSES**
1) Two (2) complete lists of names and mailing addresses, including zip codes, of all owners shown on the vicinity map, typewritten on 1"x 2^{5/8}" self-adhesive mailing labels and 2 paper sets. Three (3) sets of gummed back mailing labels and paper copies are needed for subject properties located in Shelby County but within five (5) miles of the Memphis City limits.
2) Two (2) self-adhesive mailing labels (1"x 2^{5/8}") each for the owner of record, applicant, representative and/or engineer/surveyor.
- I. **FILING FEES** *(All Fees Are Subject To Change without Prior Notice)*
1) Special Use Permit: 5.0 Acres or less=\$500. Each additional acre or fraction thereof =\$50, Maximum =\$5,000. Amendment(s): = \$500.00; Daycare only: 8-12 children=\$100. 13+ children= \$250.
Make check payable to "M/SC Office of Planning and Development"

***ALL APPLICATIONS MUST BE SUBMITTED IN PERSON
AND THE SUBMITTER MUST RECEIVE A RECEIPT OF
ACCEPTANCE FROM STAFF**

May 3, 2021

Mr. Chip Saliba

Deputy Administrator – Development Services
Land Use and Development Services
Division of Planning and Development
125 N. Main Street, Room 468
Memphis, TN 38103

**RE: Letter of Intent – Special Use Permit
DMC Mobility Center**

Dear Mr. Saliba,

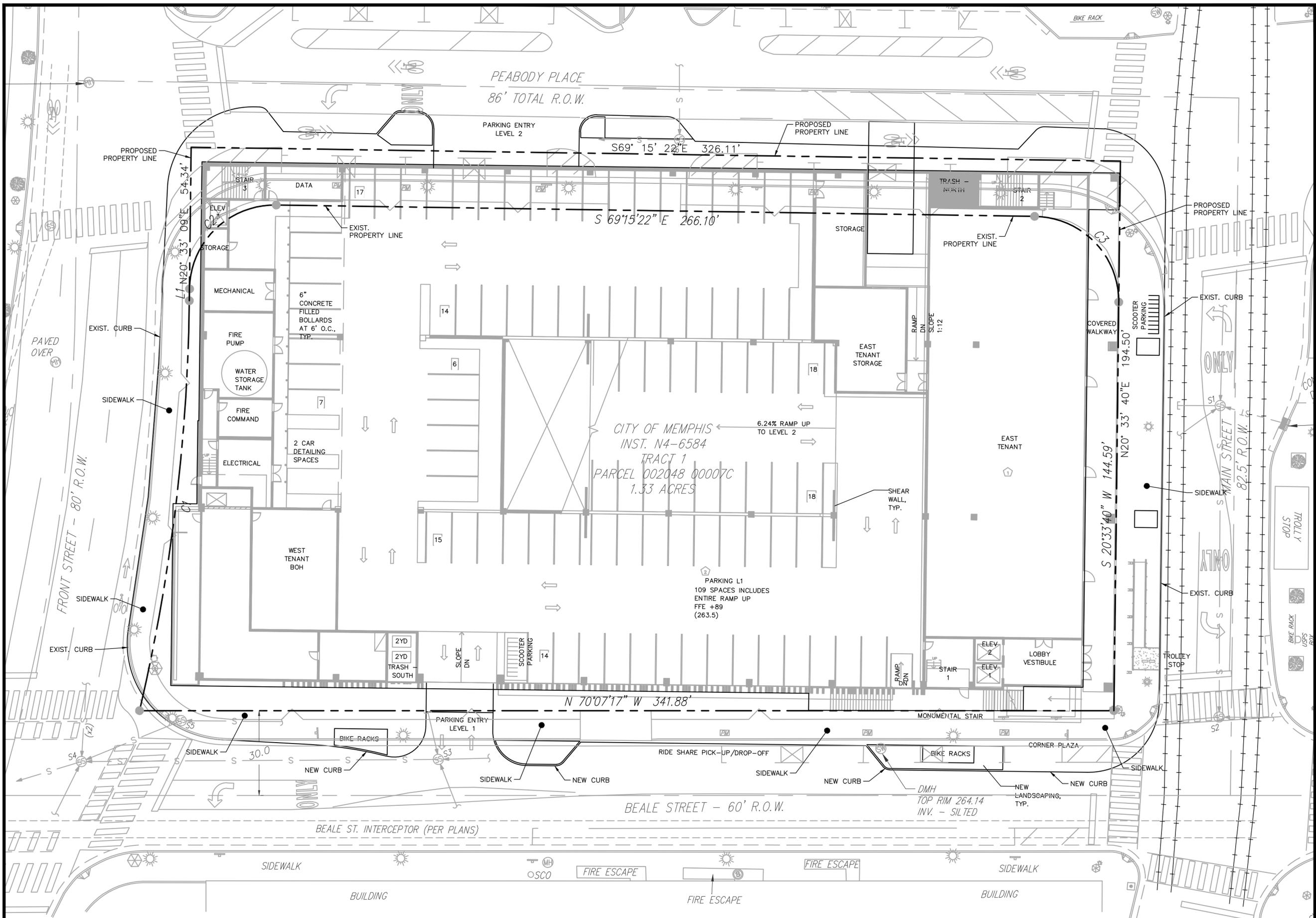
The intent of this project is to provide a mobility center with parking, retail, and mobility (bike, rideshare, scooter etc.) components. The existing project site is a surface parking lot in the central business district. The proposed project is a multi-use facility that has ground floor retail space for restaurants, retail and a bicycle retail/storage component with showers and lockers. The parking garage which is nestled amongst these uses is a +/-960 car parking garage. The parking garage component of the project will be screened from public view and will create a façade that is complementary to the rich architectural history of the surrounding buildings. The professional consultants associated with this proposed development are LRK, Powers Hill Design, Allen and Hoshall, Haltom Engineering, Liles Engineering, THA Consulting, Kersey Wike, WJHW, CM Kling, and CSA Engineering.

Sincerely,

ALLEN & HOSHALL



Roy D. Lamica, P.E.
Principal



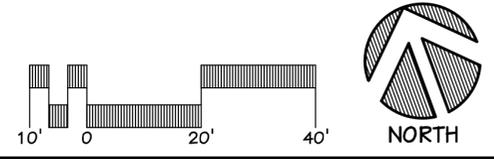
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	146.41'	676.62'	12°23'52"	73.49'	N 26°45'10" E	146.12'
C2	47.22'	30.00'	90°11'01"	30.10'	S 65°39'08" W	42.49'
C3	47.03'	30.00'	89°49'02"	29.90'	N 24°20'51" W	42.36'

LINE	BEARING	DISTANCE
L1	N 20°33'11" E	4.24'

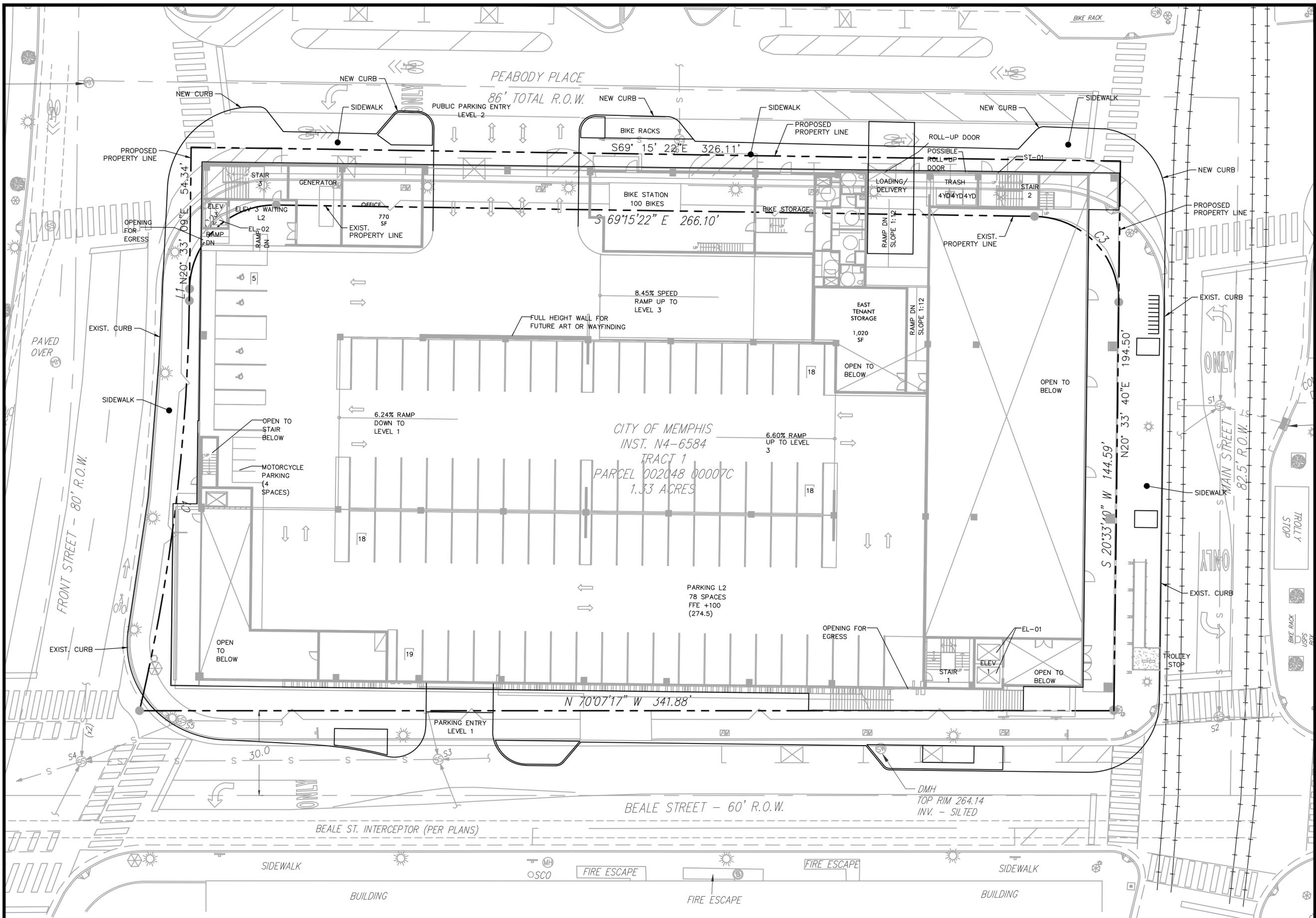
SITE DATA:

PROPERTY AREA (EXISTING)	1.33 AC.
PROPERTY AREA (PROPOSED)	1.49 AC.
PROPOSED USE	PARKING GARAGE

PROPOSED PARKING	
LEVEL 1	109 SPACES
LEVEL 2	78 SPACES
LEVEL 3	149 SPACES
LEVEL 4	179 SPACES
LEVEL 5	180 SPACES
LEVEL 6	175 SPACES
LEVEL 7	95 SPACES
TOTAL PARKING	965 SPACES



SITE PLAN - LEVEL 1		
SOUTH MAIN STREET - SPECIAL USE PERMIT		
CASE NUMBER:		FORMER CASE NUMBERS: N/A
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1 LOT	ACREAGE: 1.33± AC.	PARCEL ID: 002048 00007C
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION		ENGINEER: POWERS HILL DESIGN 80 MONROE AVE, STE 420, MEMPHIS, TN
100-YEAR FLOOD ELEV: N/A	FEMA MAP PANEL: 47157C0270F	FEMA MAP DATE: 9/28/2007
MAY 6, 2021	SCALE: 1" = 20'	SHEET 1 OF 6



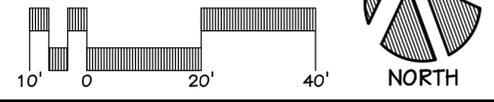
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	146.41'	676.62'	12°23'52"	73.49'	N 26°45'10" E	146.12'
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LINE	BEARING	DISTANCE
L1	N 20°33'11" E	4.24'

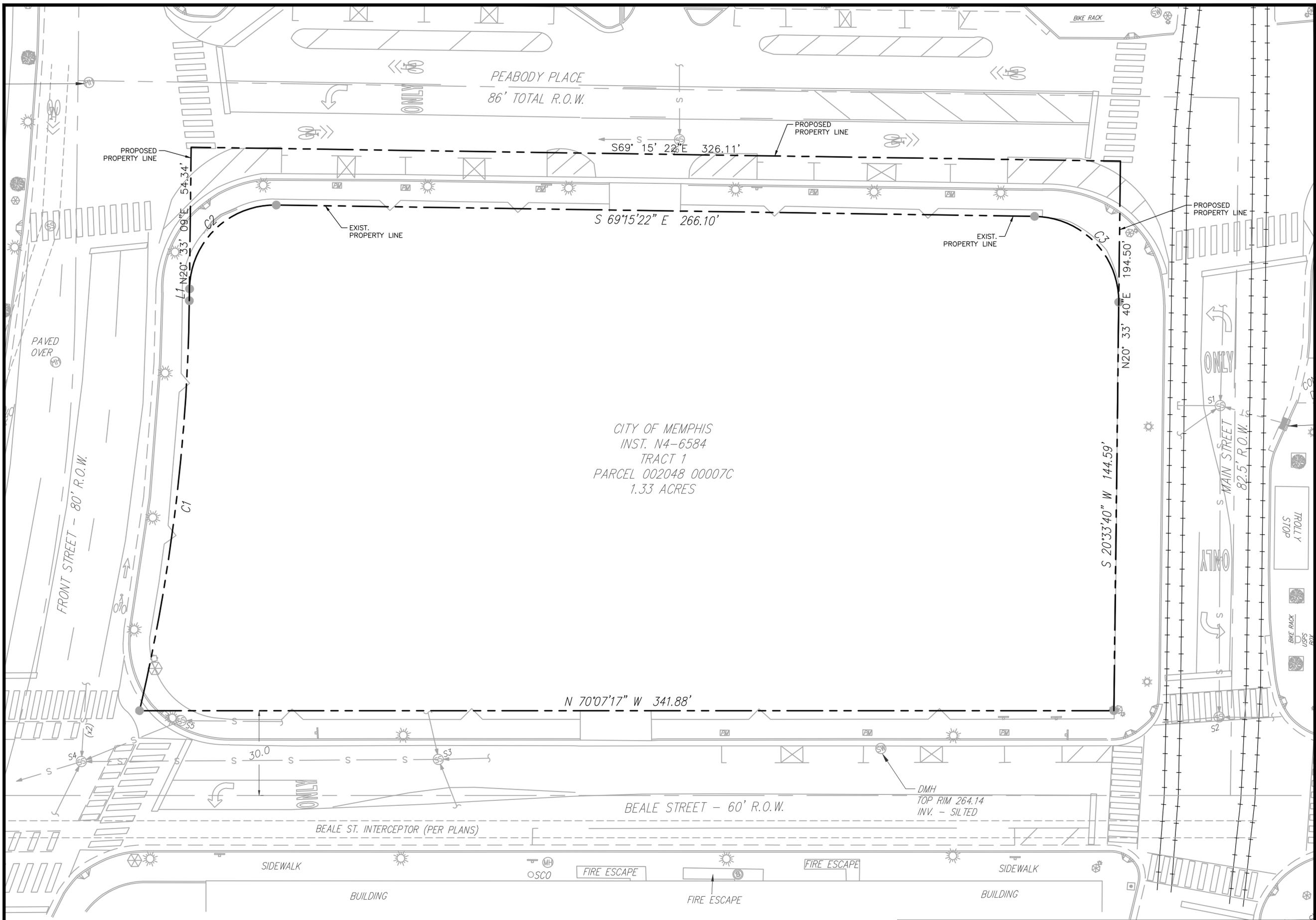
SITE DATA:

PROPERTY AREA (EXISTING)	1.33 AC.
PROPERTY AREA (PROPOSED)	1.49 AC.
PROPOSED USE	PARKING GARAGE

PROPOSED PARKING	
LEVEL 1	109 SPACES
LEVEL 2	78 SPACES
LEVEL 3	149 SPACES
LEVEL 4	179 SPACES
LEVEL 5	180 SPACES
LEVEL 6	175 SPACES
LEVEL 7	95 SPACES
TOTAL PARKING	965 SPACES



SITE PLAN - LEVEL 2		
SOUTH MAIN STREET - SPECIAL USE PERMIT		
CASE NUMBER:		FORMER CASE NUMBERS: N/A
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1 LOT	ACREAGE: 1.33± AC.	PARCEL ID: 002048 00007C
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION		ENGINEER: POWERS HILL DESIGN 80 MONROE AVE, STE 420, MEMPHIS, TN
100-YEAR FLOOD ELEV: N/A	FEMA MAP PANEL: 47157C0270F	FEMA MAP DATE: 9/28/2007
MAY 6, 2021	SCALE: 1" = 20'	SHEET 2 OF 6

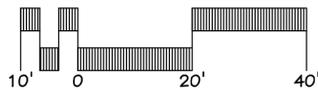


CITY OF MEMPHIS
 INST. N4-6584
 TRACT 1
 PARCEL 002048 00007C
 1.33 ACRES

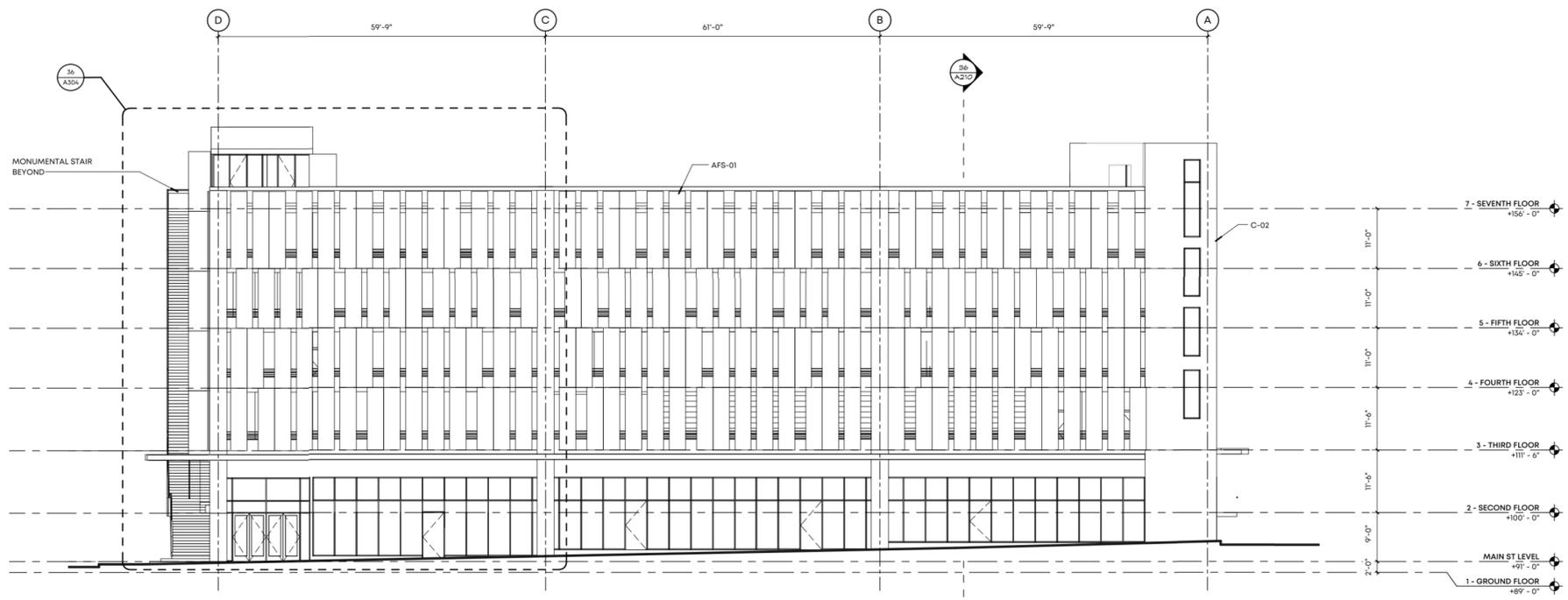
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	146.41'	676.62'	12°23'52"	73.49'	N 26°45'10" E	146.12'
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LINE	BEARING	DISTANCE
L1	N 20°33'11" E	4.24'

SITE DATA:
 PROPERTY AREA (EXISTING) 1.33 AC.
 PROPERTY AREA (PROPOSED) 1.49 AC.
 PROPOSED USE PARKING GARAGE



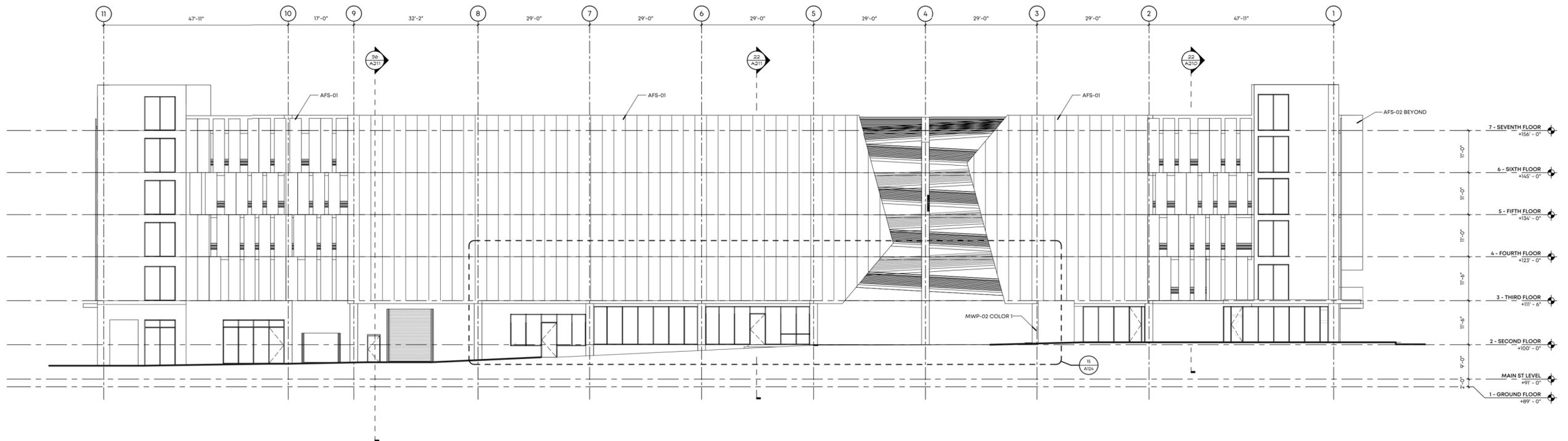
PLOT PLAN		
SOUTH MAIN STREET - SPECIAL USE PERMIT		
CASE NUMBER:		FORMER CASE NUMBERS: N/A
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1 LOT	ACREAGE: 1.33± AC.	PARCEL ID: 002048 00007C
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION		ENGINEER: POWERS HILL DESIGN 80 MONROE AVE, STE 420, MEMPHIS, TN
100-YEAR FLOOD ELEV: N/A	FEMA MAP PANEL: 47157C0270F	FEMA MAP DATE: 9/28/2007
MAY 6, 2021	SCALE: 1" = 20'	SHEET 3 OF 6



MATERIAL KEYNOTE LEGEND	
Key Value	Keynote Text
AFS-01	ARCHITECTURAL FAÇADE SYSTEM - PERFORATED SIZE 1
AFS-02	ARCHITECTURAL FAÇADE SYSTEM - PERFORATED SIZE 2
AFS-03	ARCHITECTURAL FAÇADE SYSTEM - METAL MESH OR EXPANDED METAL
C-02	ARCHITECTURAL CAST-IN-PLACE CONCRETE
EL-01	ELEVATOR - 4500 CAPACITY
EL-02	ELEVATOR - 4000 CAPACITY
GLS-02	GUARDRAIL
MWP-01	METAL WALL PANEL - PERFORATED METAL INFILL PANEL AT STAIR
MWP-02 COLOR 1	METAL WALL PANEL - COMPOSITE PANEL
MWP-02 COLUMN COVER	METAL WALL PANEL - 6MM ACM COLUMN COVER
MWP-03	METAL WALL PANEL - PERFORATED METAL PANEL GROUND LEVEL
S-01	PREFINISHED ALUMINUM STOREFRONT
ST-01	STEEL PAN STAIR WITH CONCRETE TREADS

22 EAST ELEVATION - MAIN ST.

SCALE: 3/32" = 1'-0"



36 NORTH ELEVATION - PEABODY

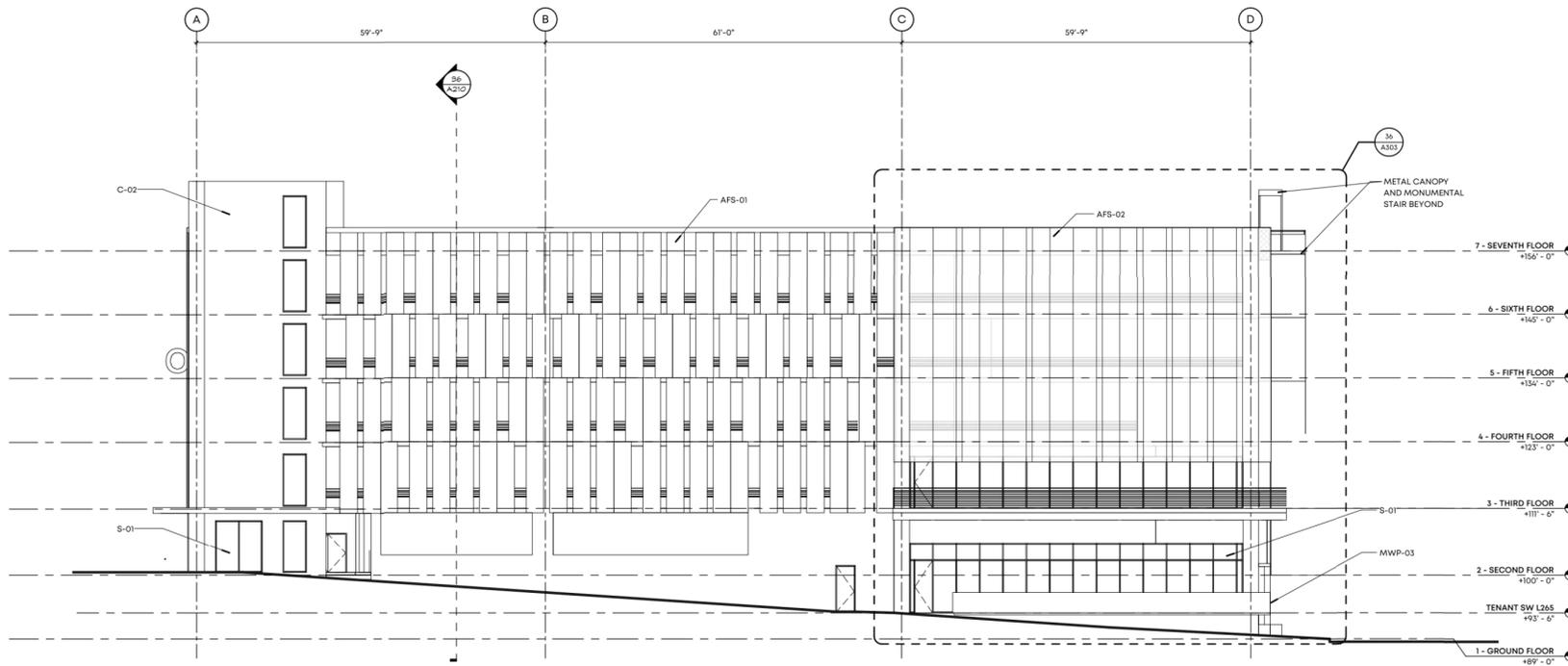
SCALE: 3/32" = 1'-0"

SITE DATA:	
PROPERTY AREA (EXISTING)	1.33 AC.
PROPERTY AREA (PROPOSED)	1.49 AC.
PROPOSED USE	PARKING GARAGE

BUILDING ELEVATIONS

SOUTH MAIN STREET - SPECIAL USE PERMIT

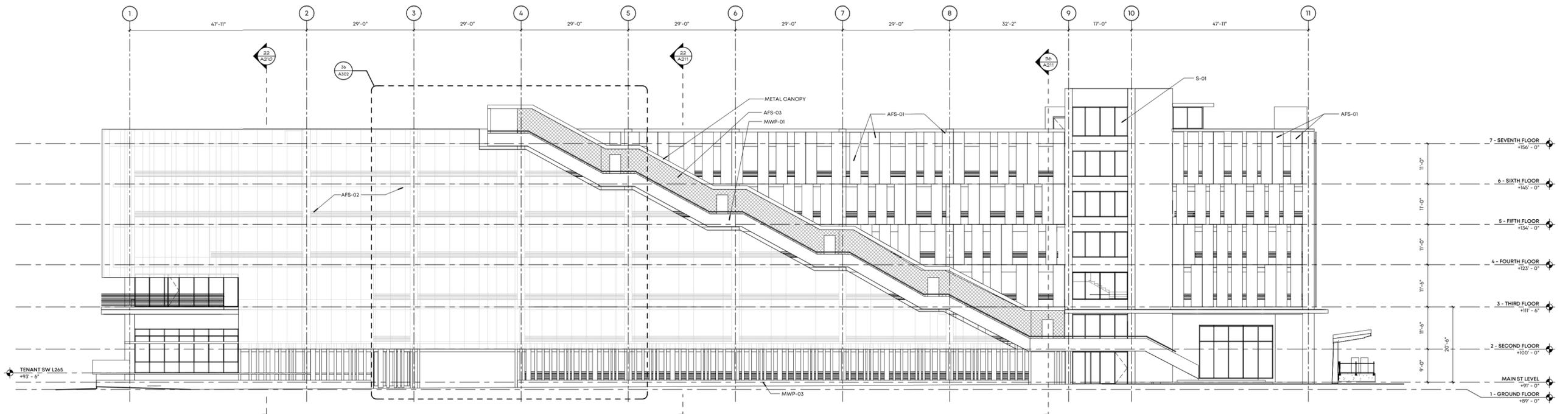
CASE NUMBER:		FORMER CASE NUMBERS: N/A
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1 LOT	ACREAGE: 1.33± AC.	PARCEL ID: 002048 00007C
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION		ENGINEER: POWERS HILL DESIGN 80 MONROE AVE, STE 420, MEMPHIS, TN
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MAY 6, 2021	SCALE: 1" = 20'	SHEET 4 OF 6



MATERIAL KEYNOTE LEGEND	
Key Value	Keynote Text
AFS-01	ARCHITECTURAL FAÇADE SYSTEM - PERFORATED SIZE 1
AFS-02	ARCHITECTURAL FAÇADE SYSTEM - PERFORATED SIZE 2
AFS-03	ARCHITECTURAL FAÇADE SYSTEM - METAL MESH OR EXPANDED METAL
C-02	ARCHITECTURAL CAST-IN-PLACE CONCRETE
EL-01	ELEVATOR - 4500 CAPACITY
EL-02	ELEVATOR - 4000 CAPACITY
GLS-02	GUARDRAIL
MWP-01	METAL WALL PANEL - PERFORATED METAL INFILL PANEL AT STAIR
MWP-02	METAL WALL PANEL - COMPOSITE PANEL
MWP-03	METAL WALL PANEL - 6MM ACM COLUMN COVER
S-01	METAL WALL PANEL - PERFORATED METAL PANEL GROUND LEVEL
ST-01	PREFINISHED ALUMINUM STOREFRONT
	STEEL PAN STAIR WITH CONCRETE TREADS

22 WEST ELEVATION - FRONT ST.

SCALE: 3/32" = 1'-0"



36 SOUTH ELEVATION - BEALE ST.

SCALE: 3/32" = 1'-0"

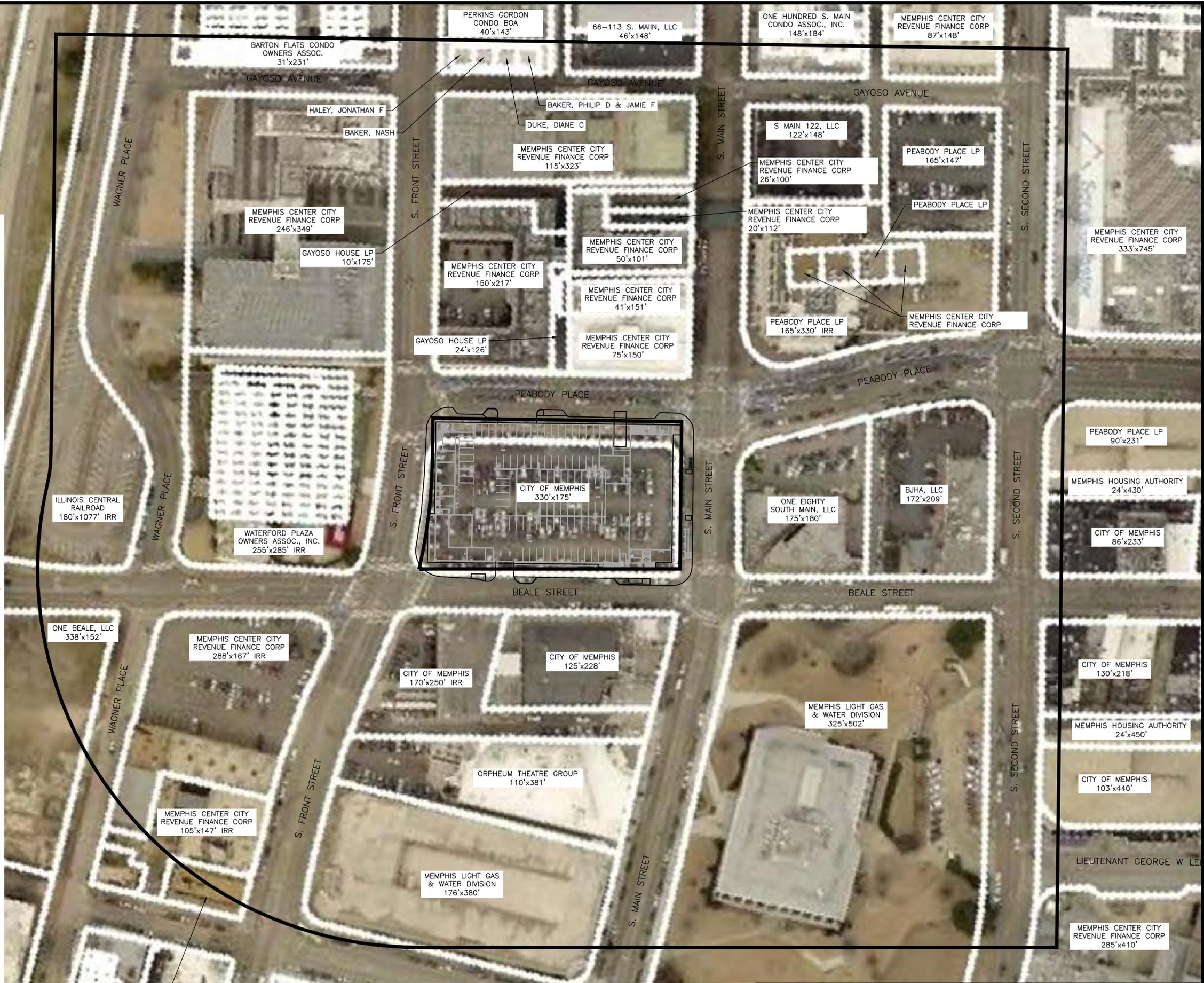
SITE DATA:	
PROPERTY AREA (EXISTING)	1.33 AC.
PROPERTY AREA (PROPOSED)	1.49 AC.
PROPOSED USE	PARKING GARAGE

BUILDING ELEVATIONS
SOUTH MAIN STREET - SPECIAL USE PERMIT

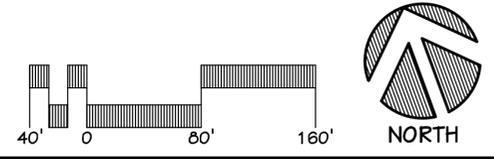
CASE NUMBER:		FORMER CASE NUMBERS: N/A
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1 LOT	ACREAGE: 1.33± AC.	PARCEL ID: 002048 00007C
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION		ENGINEER: POWERS HILL DESIGN 80 MONROE AVE, STE 420, MEMPHIS, TN
100-YEAR FLOOD ELEV: N/A	FEMA MAP PANEL: 47157C0270F	FEMA MAP DATE: 9/28/2007
MAY 6, 2021	SCALE: 1" = 20'	SHEET 5 OF 6

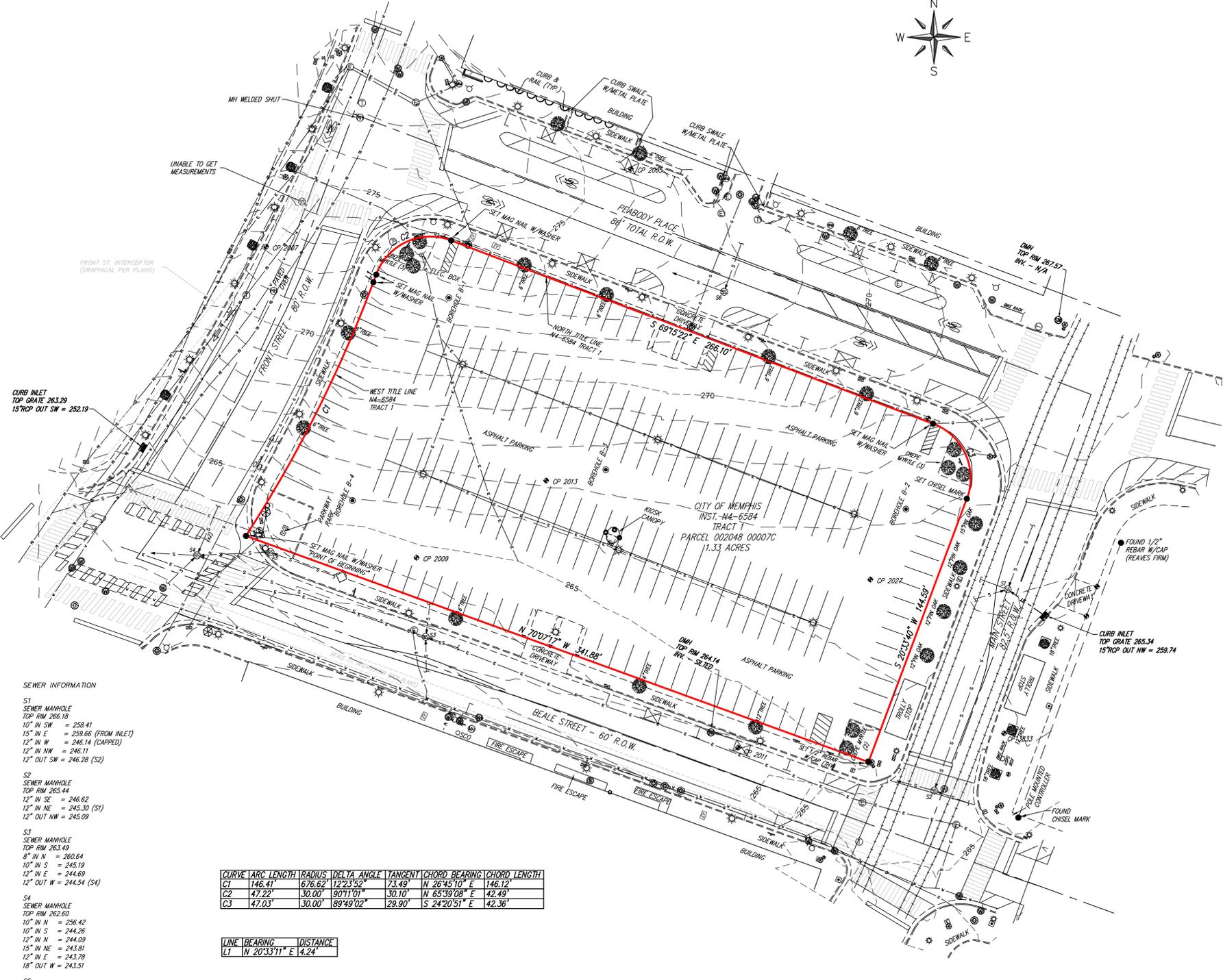
BARTON FLATS CONDO OWNERS:
 ROBIN POSTON
 JOSEPH C LOCKARD
 KEITH B HAYNES
 MICHEL G & DEBORAH CANDEBAT
 ELSA T A THOMA
 ALLAN HARKLEROAD
 PETER H & JILL J MARGOLIN
 DANNY W & SOHEILA A KAIL
 CHAD BARTON
 CHAD L BARTON
 CHRISTOPHER CHRESTMAN
 LESTER R & ANH THU LUU GREENBERG
 COTTON ROW PARTNERS RE LLC
 CHATTIN W WETHERILL III
 FOUR BEES DEVELOPMENT LLC
 CHRISTIAN POWERS
 JUSTIN B HILLIARD
 MICHAEL & ALEXIS A McNAMARA
 LAURA E CARPENTER
 BHUMIN & AMANDA PATEL
 JIMMY D WEBSTER III

WATERFORD PLAZA CONDO OWNERS:
 PAT K TIGRETT
 RUSTON E PATTERSON JR
 DONALD R & SANDRA H SMITH
 JOHN N ADAMS
 CHRISTOPHER R & STACY L McCALL
 DAN K & LOIS WESTMORELAND
 COLLINS FAMILY TRUST
 MANOOCHHEHR & SOUDABEH ALIKHANI TANHAE
 JERRY D HUBBARD
 JOHN VM & JANICE G BROWN LLC
 TIMOTHY R & JENNIFER A HOLTON
 MOTAMEDI PERI LIVING TRUST
 YOGESH C & LEENA SHAH
 HONGQIU CHEN
 GARY K WUNERLICH JR
 MABRA & JANIS L HOLEYFIELD
 EDWARD HARDIN & CHRISTOPHER SLAUGHTER
 VIOLA O COLE
 CASSANDRA JIMERSON-RUCKER
 JUNE B MANN REVOCABLE TRUST
 JOYCE M BLACKMON
 WEBSTER & HELEN T RIGGS
 STEPHEN & DEBBIE MEYER
 FRANCIS & KAREN ZAMBON LIVING TRUST
 JAMES T & SUSAN O MILLER
 SENIORA MATTHEWS & ROBERT L JONES (RS)
 SANDRA K SLAUGHTER
 FRANK & BRENDA BANKS
 MARK & TERI HEFLEY
 STEPHEN L PHILLIPS
 BEVERLY D HEDGEPEETH LIVING TRUST
 ALPHA L II & JANET H LYONS
 CLARENCE WEEMS JR
 LOIS W WESTMORELAND TRUST
 CAVALLO ENTERPRISES LLC
 ZNM INVESTMENTS LLC
 KAREN S FIELD
 LEE S McWATERS
 AMY L SAVELL
 KENNETH A GREENING REVOCABLE TRUST
 PRATIP G DASTIDAR & CINDY V WONG
 REX D HOCKADAY
 JOHN W & JANICE G BROWN
 SANDER REVOCABLE LIVING TRUST
 EARLEAN M JOHNSON
 RALPH TAYLOR TRUST & SUZANNE BAKER TRUST
 JOHN H SMITH JR
 PATRICK BAILEY
 CYNTHIA H SAKAAN
 LAQUITA A PRICE
 LAWRENCE & NOUTH MAGDOVITZ (RS)
 SURESH KARI
 GREGORY J & LORI RAMSEY
 GAYLE MINARD
 JEFFERY G & LAURA J GIACCAGLIA
 LEO J LAZARUS
 RICKY D & DIANNA C VOYLES
 HATTIE B SWEARENGEN
 JANIS BECK-TAYLOR
 AARON & GEORGIA HALL
 KATHERINE S & PATRICK NEVILL TRUST
 FRANCES H GONZALES
 KEVIN MOORE & DAVID & NICOLE HANDEL
 LORRAINE CRAIG
 JOHN H SMITH
 STELLA TURNER LIVING TRUST
 HELEN F COLE
 GRACE B COX
 WILLIAM G & LINDA K TENNISON
 CAROLINE R & DANIEL R MERWIN JR
 WILLIAM H & JUANITA B RICHARDSON
 ILENE T FRASER
 LLANA Y SMITH
 JANET SOUTHALL & SAMUEL SANCHEZ (RS)
 ALTHA J STEWART
 200 WAGNER PLACE APARTMENT 503 SERIES
 WILLIAM C EARLY
 MEREDITH HARDIN
 RUSSELL & GINA M SUGARMON
 AHMED H & OSAMA H OMAR (RS)
 OSAMA & AHMED OMAR
 MARY J & KEVIN E PENALOZA
 BERJE K YACOUBIAN
 ROBERT W & KATHRYN L PATTERSON
 SANDRA S ROBERTSON TRUST
 SHAWN M BRENNAN
 YOGESH C & LEENA Y SHAH
 REGINA M SUGARMON
 MARIE G BRADFORD
 PURDENCE & JULIA & JUANITA DAVIS (RS)
 DORIS A HILLHOUSE REVOCABLE TRUST
 LARRY HASSELL IRREVOCABLE LIVING TRUST
 HARVEY K & ROBIN L WEBB
 APPLE PINE REALTY LLC
 SANDER PROPERTIES LLC
 CARLA OWENS
 ANTHONY M & BARBARA McGREGOR
 SHIRLEY SULLINS & SID W FARNSWORTH JR
 FULLEN & FULLEN LLC
 SAMUEL L GAYNOR III & KATE A PERA (RS)
 SOUDABEH ALIKHANI & MANOOCHHEHR TANHAE
 JENNIFER PRUDHOM
 MICHAEL N & SHIRLEY D HAMBY
 SANDRA S ROBERTSON TRUST
 DANIELLE TATE



VICINITY MAP		
SOUTH MAIN STREET - SPECIAL USE PERMIT		
CASE NUMBER:	FORMER CASE NUMBERS: N/A	
MEMPHIS, TENNESSEE		
NUMBER OF LOTS: 1 LOT	ACREAGE: 1.33± AC.	PARCEL ID: 002048 00007C
DEVELOPER: DOWNTOWN MEMPHIS COMMISSION	ENGINEER: POWERS HILL DESIGN 80 MONROE AVE, STE 420, MEMPHIS, TN	
100-YEAR FLOOD ELEV: N/A	FEMA MAP PANEL: 47157C0270F	FEMA MAP DATE: 9/28/2007
MAY 6, 2021	SCALE: 1" = 80'	SHEET 6 OF 6





PROPERTY DESCRIPTION

City of Memphis
Instrument N4-6584
Tract 1

Description of a 1.33 acre parcel being the City of Memphis property as recorded in Instrument N4-6584, Tract 1 in the Shelby County Register's Office, said parcel being located on the northeast corner of Front Street and Beale Street in Memphis, Tennessee and being more particularly described as follows:

Beginning at a set mag nail with washer at the intersection of the east line of Front Street (80 foot right of way) and Beale Street (60 foot right of way);

Thence along the east line of Front Street along a curve to the left having a radius of 676.62 feet, an arc length of 146.41 feet, a delta angle of 12 degrees 23 minutes 52 seconds, a tangent distance of 73.49 feet, a chord bearing of North 26 degrees 45 minutes 10 seconds East, a chord length of 146.12 feet to a set mag nail with washer being a point of tangency;

Thence continuing along the east line of Front Street, North 20 degrees 33 minutes 11 seconds East, a distance of 4.24 feet to a set mag nail with washer being a point of curvature;

Thence along a curve to the right having a radius of 30.00 feet, an arc length of 47.22 feet, a delta angle of 90 degrees 11 minutes 01 seconds, a tangent distance of 30.10 feet, a chord bearing of North 65 degrees 39 minutes 08 seconds East, a chord length of 42.49 feet to a set mag nail with washer in the south line of Peabody Place (86 feet right of way);

Thence along the south line of Peabody Place South 69 degrees 15 minutes 22 seconds East, a distance of 266.10 feet to a set mag nail with washer being a point of curvature;

Thence along a curve to the right having a radius of 30.00 feet, an arc length of 47.03 feet, a delta angle of 89 degrees 49 minutes 02 seconds, a tangent distance of 29.90 feet, a chord bearing of South 24 degrees 20 minutes 51 seconds East, a chord distance of 42.36 feet to a set chisel mark in the west line of Main Street (82.36 feet right of way) being a point of tangency;

Thence along the west line of Main Street, South 20 degrees 33 minutes 40 seconds West, a distance of 144.59 feet to a set 1/2 inch rebar with cap at the intersection of the west line of Main Street and the north line of Beale Street;

Thence along the north line of Beale Street, North 70 degrees 07 minutes 17 seconds West, a distance 341.88 feet to the Point of Beginning and containing 1.33 acres, more or less.

TITLE SEARCH NOTES

Title information shown on this survey is taken from a title search provided to our office. The title search was performed by Chicago Title Insurance Company, and is dated 12/30/2020, and is referenced by invoice number 9063711, and unit number 02100.520485. The title search was received in our office on 1/4/2021.

Property Address: 0 S Main Street

Legal Description: Block No. 8 in Beale Street Urban Renewal Area I, Project No. Tennessee R-77-C, and being more particularly described on Warranty Deed N4-6584 (Tract 1).

Instruments listed below are referenced in the title search.

Instrument N4-6584 (Tract 1) (12/24/1978): Source of title for subject property. This instrument contains multiple restrictions, conditions, uses permitted, building requirements, and the authority for the City of Memphis to grant variations. This document affects the property surveyed. The conditions listed in this document are blanket in nature, and are not plottable.

Instrument SB-5031 (10/22/1981): This document is a correction deed, and references a change in the Zoning Ordinance between the time property was conveyed to the City of Memphis, and the time this correction deed is filed. The current Zoning for this property is shown as Central Business District Zoning as per this document. This document affects the property surveyed. The conditions listed in this document are blanket in nature, and are not plottable.

Instrument DK-7607 (3/25/1993): This document is a land use agreement between the City of Memphis and Peabody Place. This document may the property surveyed but it is not survey related. The conditions listed in this document are blanket in nature, and are not plottable.

Instrument FF-2042 (8/4/1995): This document is a restrictive agreement, and the conditions contained in it are not survey related, and are not plottable. The conditions may affect the property.

Instrument EG-4278 (8/30/1995): This document is a re-recording of the instrument recorded in Instrument FF-2042, with the addition of a property description. This document is a restrictive agreement, and the conditions contained in it are not survey related, and are not plottable. The conditions may affect the property.

Instrument 11008910 (1/25/2011): This document is a resolution referencing restrictive covenants. Covenants are not survey related items, and are not plottable. This document may affect the property being surveyed.

Instrument 11101983 (10/17/2011): This document is a discharge, release and waiver of enforcement of restrictive covenants. Covenants are not survey related items, and are not plottable. This document may affect the property being surveyed.

Instrument 11101984 (10/17/2011): This document defines the properties within the Beale Street Urban Renewal Area. It contains maps, tax parcel identification numbers, and listings of the properties within the area. This document lists the property as being within the Beale Street Urban Renewal Area. This document affects the property being surveyed, but is not plottable.

Instrument 16094005 (9/13/2016): This document references waiver of the City of Memphis to enforce restrictive covenants in the Beale Street Urban Renewal Area. Covenants are not survey related items, and are not plottable. This document does affect the property being surveyed.

LEGEND

These standard symbols will be found in the drawing.

- ☉ SEWER MANHOLE
- ☀ LIGHT POLE
- Ⓣ TELEPHONE MANHOLE
- Ⓣ TRAFFIC SIGNAL POLE
- Ⓣ TRAFFIC SIGNAL POLE w/LIGHT
- Ⓣ DRAIN MANHOLE
- Ⓣ SEWER MANHOLE
- Ⓣ GUY/ANCHOR POLE
- Ⓣ BOREHOLE
- Ⓣ TRAFFIC SIGNAL CABINET
- Ⓣ TRAFFIC SIGNAL PULLBOX
- Ⓣ POLE MOUNTED CONTROLLER
- Ⓣ FIRE HYDRANT
- Ⓣ STREET/TRAFFIC SIGNS
- Ⓣ DRAINAGE INLET
- Ⓣ WATER VALVE
- Ⓣ POWER/UTILITY POLE WITH LIGHT
- Ⓣ POWER/UTILITY POLE
- Ⓣ GAS VALVE
- Ⓣ WATER METER
- Ⓣ GUY WIRE/ANCHOR
- Ⓣ ELECTRIC MANHOLE
- Ⓣ ELECTRIC VAULT
- Ⓣ PULLBOX
- Ⓣ PARKING METER
- Ⓣ BOLLARD
- Ⓣ FENCE
- Ⓣ CONTOURS-INDEX
- Ⓣ CONTOURS-INTERMEDIATE
- Ⓣ UNDERGROUND DRAINAGE PIPE (APPROX. LOCATION)
- Ⓣ UNDERGROUND ELECTRIC LINES (APPROX. LOCATION)
- Ⓣ UNDERGROUND WATER LINES (APPROX. LOCATION)
- Ⓣ UNDERGROUND GAS LINES (APPROX. LOCATION)
- Ⓣ FIBER OPTIC LINE (APPROX. LOCATION)
- Ⓣ BUILDING
- Ⓣ PROPERTYLINE-INTERIOR-PARCELS
- Ⓣ ADJOINER PROPERTY LINES
- Ⓣ PROPERTY LINE
- Ⓣ CENTERLINE

GENERAL NOTES

This survey was requested by and performed for: Downtown Memphis Commission

Date of field survey: December 12, 2020
Date property corners set: December 14, 2020
Date of plot: January 13, 2021

Note: No visible, obvious or apparent indications of existing burial grounds or cemeteries were observed during the course of this survey. No visible, obvious or apparent indications of wetlands were observed during the course of this survey. THY, Inc. does not express any expertise in the recognition of burial grounds, cemeteries nor wetlands.

Note: This survey was made without the benefit of a certified title report. Title information for this survey was self-researched. No guarantee is made or implied as to the completeness of said title. The property depicted on this survey is subject to any and all easements, recorded or unrecorded, shown or not shown on this survey. This property is subject to any and all benefits or burdens that a certified title report may reveal.

Note: North as shown hereon is based upon grid north as per Tennessee State Plane Coordinate System, NAD83 (2011).

Note: This plat was prepared from deed description and found evidence.

Note: There are no visible and/or apparent encroachments or projections other than those shown hereon.

The field information shown for this topographic survey was derived from random shots.

The contour interval for this survey is: one foot.

Note: Location of underground utilities (shown or not shown) is approximate only. Location, preservation and repair of all utilities (shown or not shown hereon) is the sole responsibility of the contractor or homeowner. Contractor or homeowner should inform proper utility companies prior to the initiation of any construction. THY, Inc. will not be held responsible for damage to any utilities (shown or not shown). The Tennessee One Call request ticket number for this survey is 202877846.

Any utility marks observed at the time of the survey are shown hereon. Any utilities represented on maps obtained from MLGW are shown hereon. There may be utilities present that the surveyor has no knowledge of, and cannot be held responsible for any utilities not shown on this survey.

CERTIFICATE OF SURVEY

"I hereby certify that this is a category 1 survey and the ratio of precision of the unadjusted survey is of least 1:10,000 as shown hereon, and meets the minimum standards for land surveys in the State of Tennessee at the time of the survey."

Jimmy L. Cleveland
TH RLS 2079
THY, Inc.
1760 Moriah Woods Blvd. Suite 1
Memphis, TN 38111
office: 901-362-3300

01/13/2021

SEWER INFORMATION

S1
SEWER MANHOLE
TOP RIM 266.18
10" IN SW = 258.41
15" IN E = 259.66 (FROM INLET)
12" IN W = 246.14 (CAPPED)
12" IN NW = 246.11
12" OUT SW = 246.28 (S2)

S2
SEWER MANHOLE
TOP RIM 265.44
12" IN SE = 246.62
12" IN NE = 245.30 (S1)
12" OUT NW = 245.09

S3
SEWER MANHOLE
TOP RIM 263.49
8" IN N = 260.64
10" IN S = 245.19
12" IN E = 244.89
12" OUT W = 244.54 (S4)

S4
SEWER MANHOLE
TOP RIM 262.60
10" IN N = 256.42
10" IN S = 244.26
12" IN N = 244.09
15" IN NE = 243.91
12" IN E = 243.78
18" OUT W = 243.51

S5
SEWER MANHOLE
TOP RIM 263.57
12" IN E = 244.31
12" OUT W = 244.15

S6
SEWER MANHOLE
TOP RIM 271.82
10" IN S = 262.37
12" OUT W = 262.10

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	146.41	676.62	12°23'52"	73.49	N 26°45'10" E	146.12
C2	47.22	30.00	90°11'01"	30.10	N 65°39'08" E	42.49
C3	47.03	30.00	89°49'02"	29.90	S 24°20'51" E	42.36

LINE BEARING	DISTANCE
LT	N 20°33'11" E 4.24'

SURVEY CONTROL POINT INFORMATION

Point	Northing	Easting	Elevation	Description
2005	319204.8965	756536.8500	273.58	SET MAG NAIL
2007	319164.9031	756148.4429	272.13	SET MAG NAIL
2009	319005.0167	756226.1643	264.56	SET MAG NAIL
2011	318907.3075	756392.1865	264.45	SET MAG NAIL
2013	319044.6664	756293.0993	267.11	SET MAG NAIL
2027	318993.7352	756460.5304	266.54	SET MAG NAIL
3833	318914.7344	756529.5618	265.89	SET MAG NAIL

GPS & CONTROL NOTES

HORIZONTAL COORDINATES AND BEARINGS ARE RELATIVE TO GRID NORTH AS PER THE TENNESSEE STATE PLANE COORDINATE SYSTEM, NAD 83 AS DETERMINED USING THE TENNESSEE DEPARTMENT OF TRANSPORTATION VRS GPS NETWORK AS BROADCAST ON OCTOBER 12, 2020. TOPCON HIPER V RTK GPS UNITS WERE USED FOR ESTABLISHING CONTROL ON THIS PROJECT.

THE CONVERGENCE ANGLE AT THE POINT OF BEGINNING IS -02°22'28.28130". THE SCALE FACTOR AT THE POINT OF BEGINNING IS 1.000021087. THE COMBINED SCALE FACTOR AT THE POINT OF BEGINNING IS 1.000012750.

NORTHING = 319016.1947
EASTING = 756138.1174

DISTANCES SHOWN ON THIS PLAT ARE IN FEET AND CAN BE CONVERTED TO METERS BY MULTIPLYING BY 0.3048

VERTICAL ELEVATIONS SHOWN HEREON ARE BASED UPON CITY OF MEMPHIS BENCHMARK 44. CITY MONUMENT IS LOCATED EAST OF THE INTERSECTION OF BEALE STREET AND FOURTH STREET. THE CITY MONUMENT IS LOCATED AT THE SOUTHEAST CORNER, AT THE BACK OF SIDEWALK AT 4379 BEALE STREET, 58.8' EAST OF THE NORTHEAST CORNER OF THE HISTORICAL FIRST BAPTIST BEALE STREET CHURCH. ELEVATION IS 341.80.

SITE CONTROL POINTS ARE SHOWN HEREON.

THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THIS CERTIFICATION IS NOT MEANT TO IMPLY "PERFECTION". IT IS MEANT TO IMPLY "FREEDOM FROM NEGLIGENCE". THIS CERTIFICATION IS MEANT TO EXPRESS THAT THE NORMAL STANDARD OF REASONABLE, ORDINARY, AND CUSTOMARY CARE HAS BEEN FOLLOWED DURING THE COURSE OF THIS SURVEY.

© THY, INC 2020
ORIGINAL SHEET SIZE: 24" X 36"



THY, INC.
1760 Moriah Woods Blvd.
Suite 1
Memphis, TN 38117
901-362-3300
COPYRIGHT 2020 THY, INC.
JOB NO. 20024

DRAWN BY: JLC/WMH
CHECKED BY: JLC
APPROVED BY: JLC

CITY OF MEMPHIS PROPERTY TAX PARCEL 002048 00007C INSTRUMENT N4-6584 TRACT 1

BOUNDARY & TOPOGRAPHIC SURVEY

REVISIONS

MARK	DATE	DESCRIPTION

PROJECT: **BOUNDARY & TOPOGRAPHIC SURVEY**

SHEET TITLE: **EXISTING CONDITIONS**

DWG. FILE NAME: 20024.DWG
DATE: 12/14/2020
SCALE: 1"=30'

DATE: 12/14/2020
SCALE: 1"=30'
SHEET NO. 1 OF 1



City of Memphis
Instrument N4-6584
Tract 1

Description of a 1.33 acre parcel being the City of Memphis property as recorded in Instrument N4-6584, Tract 1 in the Shelby County Register's Office, said parcel being located on the northeast corner of Front Street and Beale Street in Memphis, Tennessee and being more particularly described as follows:

Beginning at a set mag nail with washer at the intersection of the east line of Front Street (80 foot right of way) and Beale Street (60 foot right of way);

Thence along the east line of Front Street along a curve to the left having a radius of 676.62 feet, an arc length of 146.41 feet, a delta angle of 12 degrees 23 minutes 52 seconds, a tangent distance of 73.49 feet, a chord bearing of North 26 degrees 45 minutes 10 seconds East, a chord length of 146.12 feet to a set mag nail with washer being a point of tangency;

Thence continuing along the east line of Front Street, North 20 degrees 33 minutes 11 seconds East, a distance of 4.24 feet to a set mag nail with washer being a point of curvature;

Thence along a curve to right having a radius of 30.00 feet, an arc length of 47.22 feet, a delta angle of 90 degrees 11 minutes 01 seconds, a tangent distance of 30.10 feet, a chord bearing of North 65 degrees 39 minutes 08 seconds East, a chord length of 42.49 feet to a set mag nail with washer in the south line of Peabody Place (86 feet right of way);

Thence along the south line of Peabody Place South 69 degrees 15 minutes 22 seconds East, a distance of 266.10 feet to a set mag nail with washer being a point of curvature;

Thence along a curve to the right having a radius of 30.00 feet, an arc length of 47.03 feet, a delta angle of 89 degrees 49 minutes 02 seconds, a tangent distance of 29.90 feet, a chord bearing of South 24 degrees 20 minutes 51 seconds East, a chord distance of 42.36 feet to a set chisel mark in the west line of Main Street (82.5 feet right of way) being a point of tangency;

Thence along the west line of Main Street, South 20 degrees 33 minutes 40 seconds West, a distance of 144.59 feet to a set 1/2 inch rebar with cap at the intersection of the west line of Main Street and the north line of Beale Street;

Thence along the north line of Beale Street, North 70 degrees 07 minutes 17 seconds West, a distance 341.88 feet to the Point of Beginning and containing 1.33 acres, more or less.

Jimmy L. Cleveland
TN RLS 2079
Date of Description January 13, 2021

**MEMPHIS CENTER CITY REVENUE
FINANCE CORPORATION**
119 S MAIN ST STE 800
MEMPHIS, TN 38103

CITY OF MEMPHIS
191 S MAIN ST
MEMPHIS, TN 38103

ONE EIGHTY SOUTH MAIN LLC
1000 RIDGEWAY LOOP RD STE 203
MEMPHIS, TN 38120

**MEMPHIS CENTER CITY REVENUE
FINANCE CORP**
PO BOX 2198 DEPT 8088
MEMPHIS, TN 38101

CITY OF MEMPHIS
89 BEALE ST
MEMPHIS, TN 38103

BJHA LLC
174 GROVE DALE ST
MEMPHIS, TN 38120

**MEMPHIS CENTER CITY REVENUE
FINANCE CORP**
65 UNION AVE STE 1200
MEMPHIS, TN 38103

MEMPHIS HOUSING AUTHORITY
700 ADAMS AVE
MEMPHIS, TN 38105

S MAIN 122 LLC
5384 POPLAR AVE
MEMPHIS, TN 38119

**MEMPHIS CENTER CITY REVENUE
FINANCE CORP**
114 N MAIN ST
MEMPHIS, TN 38103

**MEMPHIS LIGHT GAS & WATER
DIVISION**
125 N MAIN ST
MEMPHIS, TN 38103

**ONE HUNDRED SOUTH MAIN
CONDOMINIUM ASSOC. INC.**
114 N FRONT DT
MEMPHIS, TN 38103

**MEMPHIS CENTER CITY REVENUE
FINANCE CORP**
145 LT GEORGE W LEE AVE
MEMPHIS, TN 38103

**MEMPHIS LIGHT GAS & WATER
DIVISION**
PO BOX 430
MEMPHIS, TN 38101B

66-113 SOUTH MAIN LLC
495 TENNESSEE ST
MEMPHIS, TN 38103

**MEMPHIS CENTER CITY REVENUE
FINANCE CORP**
100 PEABODY PL STE 1400
MEMPHIS, TN 38103

GAYOSO HOUSE LP
PO BOX 3661
MEMPHIS, TN 38173

PERKINS GORDON CONDO BOA
116 S FRONT ST
MEMPHIS, TN 38103

PEABODY PLACE LP
PO BOX 3661
MEMPHIS, TN 38173

ORPHEUM THEATRE GROUP
PO BOX 3370
MEMPHIS, TN 38173

**BARTON FLATS CONDO OWNERS
ASSOC.**
115 S FRONT ST 2
MEMPHIS, TN 38103

PEABODY PLACE LP
100 PEABODY PL STE 1400
MEMPHIS, TN 38103

ONE BEALE LLC
263 WAGNER PL
MEMPHIS, TN 38103

FRONT STREET DEVCO LLC
263 WAGNER PL
MEMPHIS, TN 38103

CITY OF MEMPHIS
125 N MAIN ST
MEMPHIS, TN 38103

ILLINOIS CENTRAL RAILROAD
545 S MAIN ST
MEMPHIS, TN 38103

JONATHAN F HALEY
88 GAYOSO AVE
MEMPHIS, TN 38103

CITY OF MEMPHIS
50 N FRONT ST 1300
MEMPHIS, TN 38103

**WATERFORD PLAZA OWNERS
ASSOCIATION INC**
200 WAGNER PL
MEMPHIS, TN 38103

NASH BAKER
2208 COLQUITT ST
HOUSTON, TX 77098

DAINE C DUKE
116 S FRONT ST UNIT 201
MEMPHIS, TN 38103

CHAD BARTON
50 GAYOSO AVE APT 303
MEMPHIS, TN 38103

LAURA E CARPENTER
50 GAYOSO AVE UNIT 306
MEMPHIS, TN 38103

PHILIP D & JAMIE F BAKER
116 S FRONT ST UNIT 201
MEMPHIS, TN 38103

CHAD L BARTON
50 GAYOSO AVE APT403
MEMPHIS, TN 38103

BHUMIN & AMANDA PATEL
50 GAYOSO AVE APT 407
MEMPHIS, TN 38103

ROBIN POSTON
50 GAYOSO UNIT 401
MEMPHIS, TN 38103

CHRISTOPHER CHRESTMAN
50 GAYOSO AVE APT 203
MEMPHIS, TN 38103

JIMMY D WEBSTER III
10 N MAIN APT 1001
MEMPHIS, TN 38103

JOSEPH C LOCKARD
50 GAYOSO AVE APT 301
MEMPHIS, TN 38103

**LESTER R & ANH THU LUU
GREENBERG**
813 WHITTIER RD
DERBY LINE, VT 05830

PAT K TIGRETT
200 WAGNER PL
MEMPHIS, TN 38103

KEITH B HAYNES
50 GAYOSO AVE APT 201
MEMPHIS, TN 38103

COTTON ROW PARTNERS RE LLC
13750 W COLONIAL DR #350-409
WINTER GARDEN, FL 34787

RUSTON E PATTERSON JR
200 WAGNER PL PH 101
MEMPHIS, TN 38103

MICHEL G & DEBORAH CANDEBAT
50 GAYOSO AVE APT 101
MEMPHIS, TN 38103

WETHERILL W CHATTIN III
11039 WEXFORD DR APT 304
EADS, TN 38028

DONALD R & SANDRA H SMITH
200 WAGNER PL PH 102
MEMPHIS, TN 38103

ELSA T A THOMA
2013 BOYLSTON AVE E UNIT A
SEATTLE, WA 98102

FOUR BEES DEVELOPMENT LLC
1107 SUMMER SPRINGS RD
COLLIERVILLE, TN 38017

JOHN H ADAMS
200 WAGNER PL PH 103-104
MEMPHIS, TN 38103

ALLAN HARKLEROAD
3713 ASHNY DR
FLOWER MOUND, TX 75022

CHRISTIAN POWERS
3131 DEMOCRAT RD BLDG, EMEA0137
MEMPHIS, TN 38118

CHRISTOPHER R & STACY L MCCALL
200 WAGNER PL PH 103-104
MEMPHIS, TN 38103

PETER H & JILL J MARGOLIN
266 DILLE PL
MEMPHIS, TN 38111

JUSTIN B HILLIARD
50 GAYOSO AVE UNIT 305
MEMPHIS, TN 38103

DAN K & KOIS WESTMORELAND
200 WAGNER PL
MEMPHIS, TN 38103

DANNY W & SOHEILA A KAIL
2264 GLENALDEN DR
GERMANTOWN, TN 38139

MICHAEL & ALEXIS A MCNAMARA
50 GAYOSO AVE APT 406
MEMPHIS, TN 38103

COLLINS FAMILY TRUST
2358 E PORK DR
FAYETTEVILLE, AR 72703

**MANOOCHEHR & SOUDABEH
ALIKHANI TANHAE**
551 ELISE CV
CORDOVA, TN 38018

VIOLA O COLE
200 WAGNER PL APT 1405
MEMPHIS, TN 38103

FRANK & BRENDA BANKS
200 WAGNER PL
MEMPHIS, TN 38103

JERRY D HUBBARD
7910 BIRNAM WOOD CV
GERMANTOWN, TN 38138

CASSANDRA JIMERSON-RUCKER
200 WAGNER PL APT 1406
MEMPHIS, TN 38103

MARK & TERI HEFLEY
200 WAGNER PL UNIT 1103
MEMPHIS, TN 38103

JOHN WM & JANICE G BROWN LLC
1516 FERRIS DR
CLEVELAND, MS 38732

JUNE B MANN REVOCABLE TRUST
200 WANGER PL APT 1408
MEMPHIS, TN 38103

STEPHEN L PHILLIPS
200 WAGNER PL APT 1104
MEMPHIS, TN 38103

TIMOTHY R & JENNIFER A HOLTON
200 WAGNER PL UNIT 1505
MEMPHIS, TN 38103

JOYCE M BLACKMON
200 WAGNRT PL APT 1201
MEMPHIS, TN 38103

BEVERLY D HEDGEPEETH LIVING TRUST
200 WAGNER PL APT 1105
MEMPHIS, TN 38103

MOTAMEDI PERI LIVING TRUST
200 WAGNER PL PH 1506
MEMPHIS, TN 38103

WEBSTER W & HELEN T RIGGS
3438 CENTRAL AVE
MEMPHIS, TN 38111

ALPHA L II & JANET H LYONS
200 WAGNER PL UNIT 1106
MEMPHIS, TN 38103

YOGESH C & LEENA SHAN
200 WAGNER PL APT 406
MEMPHIS, TN 38103

STEPHEN & DEBBIE MEYER
1111 OAKWOOD DR
WYNNE, AR 72396

CLARENCE WEEMS JR
200 WAGNER PL UNIT 1107-1108
MEMPHIS, TN 38103

HONGQIU CHEN
200 WAGNER PL UNIT 1401
MEMPHIS, TN 38103

**FRANCIS & KAREN ZAMBOM LIVING
TRUST**
200 WAGNER PL UNIT 1204
MEMPHIS, TN 38103

LOIS W WESTMORELAND TRUST
200 WAGNER PL UNIT PH 105
MEMPHIS, TN 38103

GARY K WUNDERLICH JR
200 WAGNER PL APT 1402
MEMPHIS, TN 38103

JAMES T & SUSAN O MILLER
1203 RIDGEWAY RD 202
MEMPHIS, TN 38119

CAVALLO ENTERPRISES LLC
1400 UNION AVE
MEMPHIS, TN 38104

MABRA & JANIS L HOLEYFIELD
200 WAGNER PL APT 1403
MEMPHIS, TN 38103

**SENIORA MATTHEWS & ROBERT L
JONES (RS)**
PO BOX 1243
BELLAIRE, TX 77402

ZNM INVESTMENTS LLC
PO BOX 770234
MEMPHIS, TN 38177

**EDWARD HARDIN & CHRISTOPHER
SLAUGHTER**
PO BOX 815
MARION, AR 72364

SANDRA K SLAUGHTER
200 WAGNER PL UNIT 1208
MEMPHIS, TN 38103

KAREN S FIELD
311 WELDON PL UNIT 1004
MEMPHIS, TN 38117

LEE S MCWATERS
9412 GREYHILL CV
CORDOVA, TN 38018

PATRICK BAILEY
200 WAGNER PL UNIT 907
MEMPHIS, TN 38103

HATTIE B SWEARENGEN
200 WAGNER PL APT 701
MEMPHIS, TN 38103

AMY L SAVELL
200 WAGNER PL APT 1006
MEMPHIS, TN 38103

CYNTHIA H SAKAAN
200 WANGER PL APT 908
MEMPHIS, TN 38103

JANIS BECK-TAYLOR
200 WAGNER PL APT 702
MEMPHIS, TN 38103

KENNETH A GREENING REVOCABLE TRUST
200 WAGNER PL APT 1007
MEMPHIS, TN 38103

LAQUITA A PRICE
4691 W STATE HWY 118
TYRONZA, AR 72386

AARON & GEORGIA HALL
200 WAGNER PL APT 703
MEMPHIS, TN 38103

PRATIP G DASTIDAR & CINDY V WONG
200 WAGNER PL APT 1008
MEMPHIS, TN 38103

LAWRENCE & NOUTH MAGDOVITZ
1005 CORDOVA STATION AVE
CORDOVA, TN 38018

KATHERINE S & PATRICK NEVILL TRUST
200 WAGNER PL APT 704
MEMPHIS, TN 38103

REX D HOCKADAY
200 WAGNER PL
MEMPHIS, TN 38103

SURESH KARI
200 WAGNER PL UNIT 803
MEMPHIS, TN 38103

FRANCES H GONZALES
200 WAGNER PL APT 705
MEMPHIS, TN 38103

JOHN W & JANICE G BROWN
1516 FERRIS DR
CLEVELAND, MS 38732

GREGORY J & LORI RAMSEY
360 FORT HOWELL DR
HILTON HEAD ISLAND, SC 29926

KEVIN MOORE & DAVID & NICOLE HANDEL
2768 BAILEY RD
SUN PRAIRIE, WI 53590

SANDER REVOCABLE LIVING TRUST
200 WAGNER PL APT 903
MEMPHIS, TN 38103

GAYLE MINARD
200 WAGNER PL APT 805
MEMPHIS, TN 38103

LORRAINE CRAIG
200 WAGNER PL APT 707
MEMPHIS, TN 38103

EARLEAN M JOHNSON
200 WAGNER PL APT 904
MEMPHIS, TN 38103

JEFFERY G & LAURA J GIACCAGLIA
200 WAGNER PL APT 806
MEMPHIS, TN 38103

JOHN H SMITH
200 WAGNER PL APT 708
MEMPHIS, TN 38103

RALPH TAYLOR TRUST & SUZANNE BAKER TRUST
427 CHERRY HALL PL
MEMPHIS, TN 38117

LEO J LAZARUS
200 WAGNER PL APT 807
MEMPHIS, TN 38103

STELLA TURNER LIVING TRUST
PO BOX 161671
MEMPHIS, TN 38186

JOHN H SMITH JR
200 WAGNER PL APT 906
MEMPHIS, TN 38103

RICKY D & DIANNA C VOYLES
200 WAGNER PL APT 808
MEMPHIS, TN 38103

HELEN F COLE
200 WAGNER PL APT 602
MEMPHIS, TN 38103

GRACE B COX
200 WAGNER PL APT 603
MEMPHIS, TN 38103

MEREDUTH HARDIN
200 WAGNER PL UNIT 505
MEMPHIS, TN 38103

REGINA M SUGARMON
200 WAGNER PL UNIT 407
MEMPHIS, TN 38103

WILLIAM G & LINDA K TENNISON
200 WAGNER PL APT 604
MEMPHIS, TN 38103

RUSSELL & GINA M SUGARMOM
200 WAGNER PL UNIT 506
MEMPHIS, TN 38103

MARIE G BRADFORD
200 WAGNER PL UNIT 408
MEMPHIS, TN 38103

CAROLINE R & DANIEL R MERWIN JR
32 TANGER LAKE CV
JACKSON, TN 38305

AHMED H & OSAMA H OMAR (RS)
200 WAGNER PL
MEMPHIS, TN 38103

**PURDENCE B & JULIA L & JUANITA M
DAVIS (RS)**
200 WAGNER PL PAT 301
MEMPHIS, TN 38103

**WILLIAM H & JUANITA B
RICHARDSON**
200 WAGNER PL APT 606
MEMPHIS, TN 38103

OSAMA & AHMED OMAR
200 WAGNER PL APT 508
MEMPHIS, TN 38103

**DORIS A HILLHOUSE REVOCABLE
TRUST**
200 WAGNER PL APT 302
MEMPHIS, TN 38103

ILENE T FRASER
7003 E RIDGE DR
SHREVEPORT, LA 71106

MARY J & KEVIN E PENALOZA
200 WAGNER PL APT 401
MEMPHIS, TN 38103

**LARRY HASSELL IRREVOCABLE LIVING
TRUST**
200 WAGNER PL APT 303
MEMPHIS, TN 38103

LLANA Y SMITH
200 WAGNER PL APT 608
MEMPHIS, TN 38103

BERJE K YACOUBIAN
109 DUNHAM SPRINGS LN
NASHVILLE, TN 37205

HARVEY K & ROBIN L WEBB
1526 HIGHWAY 51 N
RIPLEY, TN 38063

**JANET W SOUTHALL & SAMUEL C
SANCHES (RS)**
200 WAGNER PL APT 501
MEMPHIS, TN 38103

ROBERT W & KATHRYN L PATTERSON
200 WAGNER PL APT 403
MEMPHIS, TN 38103

APPLE PINE REALTY LLC
2299 LANSINGWOOD DR
GERMANTOWN, TN 38139

ALTHA J STEWART
200 WAGNER PL UNIT 502
MEMPHIS, TN 38103

SANDRA S ROBERTSON TRUST
334 SAINT ANDREWS FWY
MEMPHIS, TN 38111

SANDER PROPERTIES LLC
200 WAGNER PL APT 903
MEMPHIS, TN 38103

**200 WAGNER PLACE APARTMENT 503
SERIES**
8963 CLAIBOREN FARM DR
GERMANTOWN, TN 38138

SHAWN M BRENNAN
200 WAGNER PL APT 405
MEMPHIS, TN 38103

CARLA OWENS
200 WAGNER PL APT 307
MEMPHIS, TN 38103

WILLIAM C EARLY
200 WAGNER PL UNIT 504
MEMPHIS, TN 38103

YOGESH C & LEENAY SHAN
200 WAGNER PL APT 406
MEMPHIS, TN 38103

ANTHONY M & BARBARA MCGREGOR
200 WAGNER PL APT 308
MEMPHIS, TN 38103

**SHIRLEY SUKINS & SID W
FARNWORTH JR**
200 WAGNER PL APT 201
MEMPHIS, TN 38103

FULLEN & FULLEN LLC
PO BOX 380
RIPLEY, TN 38063

**SAMUEL L GAYNOR III & KATE A PERA
(RS)**
200 WAGNER PL UNIT 203
MEMPHIS, TN 38103

**SOUDABEH ALIKHANI &
MANOOCHEHR TANHAE**
551 ELISE CV
CORDOVA, TN 38103

JENNIFER PRUDHOME
200 WAGNER PL APT 205
MEMPHIS, TN 38103

MICHAEL N & SHIRLEY D HAMBY
200 WAGNER PL APT 206
MEMPHIS, TN 38103

SANDRA S ROBERTSON TRUST
334 SAINT ANDREWS FWY
MEMPHIS, TN 38111

DANIELLE TATE
200 WAGNER PL APT 208
MEMPHIS, TN 38103

14
N1 6584WARRANTY DEED

THIS INDENTURE, made and entered into this 15th day of MAY 1978, by and between the MEMPHIS HOUSING AUTHORITY, Grantor, and the CITY OF MEMPHIS, Grantee,

WITNESSETH: That for and in consideration of TEN (\$10.00) DOLLARS, cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said Grantor has bargained and sold and does hereby bargain, sell, convey and confirm unto the said Grantee the following described real estate, situated and being in the City of Memphis, County of Shelby, and State of Tennessee, to-wit:

TRACT I

Block No. 8 in Beale Street Urban Renewal Area I, Project No. Tennessee R-77-C, and more particularly described as follows:

The coordinates of points are referred to the Tennessee Coordinate System as set out in T.C.A. 64-601 et. seq.

Beginning at a point on the south line of McCall Avenue (86 feet wide) 30.1 feet eastwardly from the tangent intersection of said south line with the east line of Front Street (80 feet wide), said point of beginning having the coordinates Y=297789.14, X=787740.34; thence on a Lambert Grid Bearing South 69 degrees 17 minutes 38 seconds East along said south line 266.06 feet to a point; thence by a curve to the right having a radius of 30 feet an arc distance of 47.02 feet to a point of tangency; thence South 20 degrees 30 minutes 30 seconds West along the west line of Main Street (82.5 feet wide) 144.60 feet to a point; thence North 70 degrees 09 minutes 33 seconds West along the north line of Beale Street (60 feet wide) 341.88 feet to a point; thence along the east line of Front Street (80 feet wide) by a curve to the left having a radius of 676.62 feet an arc distance of 146.41 feet to a point of tangency; thence North 20 degrees 30 minutes 53 seconds East 4.24 feet to a point; thence by a curve to the right having a radius of 30 feet an arc distance of 47.22 feet to the point of beginning.

Containing 58,074 square feet or 1.3332 acres, more or less.

TRACT II

Block No. 11, in Beale Street Urban Renewal Area I, Project No. Tennessee R-77-C, and more particularly described as follows:

The coordinates of point are referred to the Tennessee Coordinate System as set out in T.C.A. 64-601 et. seq.

Beginning at a point on the east line of Wagner Place (50 feet wide) 37.63 feet northeastwardly from the tangent intersection of said east line with the north line of Beale Street (60 feet wide), said point of beginning having coordinates Y=297778.96, X=787349.39; thence on a Lambert Grid Bearing North 32 degrees 46 minutes East along said east line 124.73 feet to an angle point in Wagner Place; thence North 20 degrees 30 minutes 53 seconds East 62.89 feet to a point on the south line of McCall Avenue (47.7' wide); thence south 69 degrees 32 minutes 28 seconds East along the said north line 226.02 feet to a point on the west line of Front Street (80 feet wide); thence South 20 degrees 30 minutes 53 seconds West along said west line 72.69 feet to the beginning of a curve; thence continuing southwestwardly along the west line of Front Street by a curve to the right having

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a radius of 596.62 feet an arc distance of 123.59 feet to a point of compound curve; thence by a curve to the right having a radius of 30 feet an arc distance of 40.56 feet to a point on the north line of Beale Street; thence North 70 degrees 09 minutes 33 seconds West along said north line 181.07 feet to a point; thence by a curve to the right having a radius of 30 feet an arc distance of 53.89 feet to the point of beginning.

Containing 51,131 square feet or 1.174 acres, more or less.

TRACT III

Parcel No. 1, Block No. 13, in Beale Street Urban Renewal Area I, Project No. Tennessee R-77-C, and more particularly described as follows:

The coordinates of points are referred to the Tennessee Coordinate System as set out in T.C.A. 64-601 et. seq.

Beginning at a point on the south line of Beale Street (60 feet side) 23.90 feet northeastwardly from the tangent intersection of said south line with the easterly line of Wagner Place (50 feet wide), said point of beginning having the coordinates Y=297687.43, X=787318.17; thence on a Lambert Grid Bearing South 70 degrees 09 minutes 33 seconds East along said south line 167.36 feet to a point; thence by a curve to the right having a radius of 30 feet an arc distance of 60.35 feet to a point of tangency; thence South 45 degrees 05 minutes 38 seconds West along the westerly line of Front Street (80 feet wide) 31.94 feet to a point; thence by a curve to the left having a radius of 858.51 feet an arc distance of 125.59 feet to a point; thence North 56 degrees 55 minutes 20 seconds West 197.86 feet to a point on the easterly line of Wagner Place; thence North 32 degrees 46 minutes East along said easterly line 123.31 feet to a point; thence by a curve to the right having a radius of 30 feet an arc distance of 40.36 feet to the point of beginning.

Containing 35,900 square feet or 0.824 acre, more or less.

TRACT IV

Parcel No. 2, Block No. 14 in Beale Street Urban Renewal Area I, Project No. Tenn. R-77-C, and more particularly described as follows:

The coordinates of points are referred to the Tennessee Coordinate System as set out in T.C.A. 64-601 et. seq.

Beginning at a point on the west line of Main Street (80 feet wide) 125.0 feet southwestwardly from the tangent intersection of said west line and the south line of Beale Street (60 feet wide), said point of beginning having the coordinates Y=297361.32, X=787863.46; thence on a Lambert Grid Bearing South 33 degrees 05 minutes 28 seconds West along said west line 348.41 feet to a point; thence by a curve to the right having a radius of 30 feet an arc distance of 47.12 feet to a point on the north line of Linden Avenue (80 feet wide); thence North 56 degrees 55 minutes 20 seconds West along said north line of Linden Avenue 321.18 feet to a point; thence by a curve to the right having a radius of 30 feet an arc distance of 47.13 feet to a point on the east side of Front Street (80 feet wide); thence North 33 degrees 05 minutes 38 seconds East along said east line 117.17 feet to a point; thence by a curve to the right having a radius of 778.51 feet an arc distance of 163.05 feet to a point of tangency; thence North

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45 degrees 05 minutes 38 seconds East 33.38 feet to a point; thence by a curve to the left having a radius of 676.62 feet an arc distance of 81.50 to a point on the south line of Beale Street; thence South 70 degrees 09 minutes 33 seconds East 125.74 feet to a point; thence South 33 degrees 05 minutes 28 seconds West 125.0 feet to a point; thence South 70 degrees 09 minutes 33 seconds East 228.8 feet to the point of beginning.

Containing 142,657 square feet or 3.275 acres, more or less.

TO HAVE AND TO HOLD the aforesaid real estate, together with all the appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said Grantee, its successors and assigns, in fee simple forever, subject to the conditions hereinafter set forth.

1. The Grantee agrees for itself, its successors and assigns to or of the property or any part thereof, that the Grantee and such successors and assigns shall not discriminate upon the basis of race, color, sex, religion, or national origin, in the sale, lease, or rental, or in the use or occupancy of the property or any improvements erected or to be erected thereon or any part thereof; this Covenant shall be a Covenant running with the land and shall be binding to the fullest extent permitted by law and equity, for the benefit and in favor of, and enforceable by (1) Grantor, its successors and assigns; (2) the City of Memphis; (3) the owner of any other land, or of any interest in such land, with the Beale Street Urban Renewal Project Number Tennessee R-77 which is subject to the controls of the Urban Renewal Plan for such Project; and (4) the United States; against the Grantee, its successors and assigns and every successor in interest to the property, or any part thereof or interest therein and any party in possession or occupancy of the property or any part thereof.
2. In amplification, and not in restriction of, the foregoing Covenant, it is intended and agreed that the United States shall be deemed a beneficiary thereof, both for and in its own rights and also for the purposes of protecting the interests of the community and other parties, public or private, in whose favor or for whose benefit such Covenant has been provided. Such Covenant shall run in favor of the United States without regard to whether the United States has, at any time, been, remains, or is an owner of any land or interest therein to or in favor of which such Covenant relates. The United States shall have the right, in the event of any breach of such Covenant, to exercise all the rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breach of Covenant, to which it or any other beneficiaries of such Covenant may be entitled.
3. The following conditions and restrictions shall constitute covenants running with the land and the property owners in the Beale Street Urban Renewal Area, Project Number Tennessee R-77, or their successors, and the Grantor shall be deemed beneficiaries thereof. The Grantor shall be deemed a beneficiary of such conditions and restrictions without regard to whether it remains an owner of any land or interest in said Beale Street Urban Renewal Area. The Covenant shall run with the land until July 31, 1999 and shall automatically extend for successive periods of ten (10) years, unless at the time the property owners of a majority of the project area, exclusive of streets and easements, agree to change said restrictions in whole or in part, and provided that such changes are approved by Memphis Housing Authority and the governing body of the City of Memphis after a public hearing thereon. These conditions and restrictions, which are hereby declared to be covenants running with the land, are as follows, to-wit:

- A. Uses Permitted. The above described property may be used for any purpose except the following uses:
1. Single-family dwellings
 2. Two-family dwellings or duplexes
 3. Multiple dwellings, except high-rise apartments
 4. Abattoir and slaughter house or stockyards
 5. Acetylene gas manufacture or storage
 6. Acid Manufacture
 7. Ammonia, Bleaching powder or chlorine manufacture
 8. Asphalt manufacture or refining preparation
 9. Auto wrecking or salvage or automotive body repair shop except where the premises upon which such activities are conducted are wholly enclosed within a building
 10. Blast furnaces
 11. Boiler works
 12. Brick, tile, pottery or terra cotta manufacture other than the manufacture of handicraft products only
 13. Bus or motor freight terminals
 14. Coal tar manufacture or tar distillation
 15. Cement, lime gypsum or plaster of paris manufacture
 16. Cotton gin
 17. Creosote manufacture or treatment
 18. Crematory
 19. Distillation of bones, coal or wood
 20. Disinfectant manufacturing
 21. Explosives or fireworks manufacture or storage
 22. Fat rendering
 23. Fertilizer manufacture
 24. Fish smoking or curing
 25. Garbage, offal or dead animals reduction or dumping
 26. Gas manufacture or storage
 27. Glue, size or gelatin manufacture
 28. Incineration, reduction or dumping offal, dead animals, garbage or refuse
 29. Iron, steel, brass or copper foundry

30. Junk iron or rags storage or baling, except where its premises upon which such activities are conducted are wholly enclosed within a building
31. Oilcloth or linoleum manufacture
32. Oiled cloth or oiled clothing manufacture or the impregnation of any fabrics by oxidizing oils, window shade or patent leather manufacture
33. Ore Reduction
34. Paint, Oil, shellac, turpentine, or varnish manufacture
35. Petroleum refinery or wholesale storage of same
36. Pyroxlin manufacturing
37. Rolling mill
38. Rubber or gutta percha manufacture or treatment
39. Sauerkraut manufacture
40. Smelting of tin, copper, zinc or iron ores
41. Ship yard
42. Smelter
43. Soap manufacture
44. Tanning, curing or storage of rawhides or skins
45. Tallow, grease or lard manufacturing or refining from animal fat
46. Tar distillation or manufacture
47. Yeast plant
48. In general, any other use which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas or noise

B. Building Requirements.

1. High-rise Apartment Requirements.

- a. Front yard set back. None required
- b. Side yard set back. There shall be side yards having a depth of not less than ten (10) feet for building not exceeding three (3) stories or forty-five (45) feet in height. For buildings exceeding three (3) stories or forty-five (45) feet in height, the side yard shall be increased in width two (2) inches for each additional foot above the third story.
- c. Rear yard set back. There shall be a rear yard having a depth of not less than twenty-five (25) feet for buildings not exceeding three (3) stories or forty-five (45) feet in height. For building exceeding three (3) stories or forty-five (45) feet in height, the rear yard shall be increased in width two (2) inches for each additional foot above the third story.

d. Height Limits.

- (1) No building hereafter erected or structurally altered shall exceed the cubical contents of a prism having a height of two (2) times the width of a street on which the lot abuts, provided, however, that a tower with a base not exceeding twenty-five (25) percent of the lot area may be constructed without reference to the above limitations.
- (2) If the lot abuts on two streets of unequal width, then, for the purpose of calculating the cubical contents, the wider of the two streets shall control for a distance of two hundred (200) feet measured at right angles back from such widest feet, provided that such two hundred (200) feet shall be within the C-4, Central Business District, zoning classification.

e. Lot Area. A lot on which a high-rise apartment is constructed shall contain a width of not less than one hundred (100) feet and an area of not less than nine thousand (9,000) square feet for the first three dwelling units plus five hundred (500) square feet for each additional dwelling unit.

f. Access, Parking and Loading.

- (1) Access to the main entrance will be from a frontage street
- (2) There will be one (1) automobile parking space for each dwelling unit plus the parking for commercial uses as set forth in paragraph B-2-e below.
- (3) An off-street loading entrance, separate from the main entrance, shall be provided. Vehicular access to this entrance shall be provided. Off-street loading entrances for commercial uses as specified in paragraph B-2-f below will also be required.

g. Commercial Uses. Commercial uses may be constructed in conjunction with a high-rise apartment development. Such uses will be limited to the ground (first) floor (including first floor above a parking structure), mezzanine and basement. Specific commercial uses allowed are as follows:

- (1) Banks
- (2) Barber shop, beauty parlor, chiropody, massage parlor, or similar personal service shop.
- (3) Delicatessen or similar speciality shop
- (4) Medical or dental offices.
- (5) Offices
- (6) Photographic Studio
- (7) Restaurant

- (8) Shoe Repairing shop employing not more than five (5) persons
- (9) Store or shop for the conduct of retail business
- (10) Storage incidental to the above uses

2. Requirements for other uses.

- a. Front yard setback. None required.
- b. Side Yard Setback. None required
- c. Rear Yard Setback. None required except that any lot or parcel must abut on a street or alley or upon a passageway, as required by the Building Department, which would connect the rear exit of a building with a public street or alley.
- d. Height Limits.
 - (1) No building hereafter erected or structurally altered shall exceed the cubical contents of a prism having a base equal to the area of the lot and having a height of two (2) times the width of a street on which the lot abuts, provided, however, that a tower with a base not exceeding twenty-five (25) percent of the lot area may be constructed without reference to the above limitations.
 - (2) If the lot abuts on two (2) streets of unequal width, then, for the purpose of calculating the cubical contents, the wider of the two streets shall control for a distance of two hundred (200) feet measured at right angles back from such wider street, provided that such two hundred (200) feet shall be within the C-4, Central Business District, zoning classification.

e. Parking.

Off-Street Automobile Parking shall be provided for the uses permitted as set forth below (except for churches), it being provided, however, that such parking requirements may be waived by the Planning Commission of the City of Memphis and the Memphis Housing Authority where sufficient parking space has been provided, either public or private, within four hundred (400) feet from the nearest point of the use to the nearest point of the parking facility and where in the opinion of the Planning Commission and the Memphis Housing Authority the parking facility can provide sufficient parking space to satisfy a reasonable demand created by the use of the property:

- (1) Business or commercial building - One (1) space for each two hundred (200) square feet of gross floor area.
- (2) Bowling alleys - at least five (5) parking spaces for each alley.
- (3) Medical or dental clinic - three (3) spaces for each doctor or dentist.

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- (4) Office or professional building - one (1) space for each four hundred (400) square feet of floor area.
- (5) Restaurant - One (1) space for each four (4) seats.
- (6) Theater, auditorium or similar place of public assembly - One (1) space for every ten (10) seats in the main assembly hall or auditorium.
- (7) Hotel - One (1) space for each two (2) rooms.
- (8) Motel - One (1) space for each unit.
- (9) YMCA, YWCA and similar uses - One (1) space for each two hundred (200) feet, of gross floor area or fraction thereof.
- (10) Retail Business and Service Establishments - at least three (3) square feet of parking space for each square foot of retail or service floor area.
- (11) Any use employing more than five (5) persons shall provide one (1) space for each additional three (3) employees

f. Off-Street Loading. If the permitted use involves, with its normal function or operation, the loading of supplies and/or equipment to the degree that a designated service and storage area or shipping and receiving area is necessary, there shall be provided the following:

- (1) Uses having a floor area in excess of ten thousand (10,000) square feet and requiring the receipt or distribution by vehicle of material or merchandise, shall have at least one (1) permanently maintained off-street loading space for each 10,000 square feet of floor area or fraction thereof.
- (2) Retail or wholesale uses with a floor area of less than ten thousand (10,000) square feet of floor area, shall provide sufficient off-street space (not necessarily a full space) to fulfill the loading demands of the use and to prevent interference with the free movement of vehicular and pedestrian traffic.
- (3) Each space shall have direct access to an alley, service drive, or street and shall have the following minimum dimensions: Length - fifty (50) feet, width - ten (10) feet, Height - fourteen (14) feet for a full space.

4. The Power of the City of Memphis to Grant Variations - "Variances" shall mean authorization to deviate from the land use controls because of unusual difficulties or particular hardships (rather than merely serving the convenience of an owner or lessee) provided that all such deviations shall be in harmony with the plan. In determining whether or not to grant a variance, the City of Memphis shall be guided by the following standards:

- A. The person seeking a variance shall demonstrate to the City of Memphis that special conditions and circumstances exist which are peculiar to the land or proposed building or structure involved and which are not applicable to other lands, buildings, or structures in the same area.
- B. The City of Memphis shall determine that the granting of a variance will be in harmony with the general purpose and intent of the plan and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- C. The City of Memphis shall not grant any variances which will permit a use not of the general type permitted by the Use Regulations or the area involved.
- D. The City of Memphis shall determine that the proposed variance is the minimum variance which will make possible the proposed building or structure to be placed thereon.
- E. In granting any variance, the City of Memphis may prescribe such appropriate conditions and safeguards that will be in conformity with the plan.
- F. Prior to granting any variance, the City of Memphis shall hold a hearing open to the public, after giving reasonable notice to the public thereof, and after giving each then-existing owner of property in the particular urban renewal project reasonable personal notice in writing of such public hearing. (Reasonable personal notice in writing may be a letter written to each owner of property in the project, as determined from the tax assessor's office, no less than seven (7) days prior to the meeting).

And the said Grantor does hereby covenant with the said Grantee that it is lawfully seized in fee of the aforesaid real estate; that it has a good right to sell and convey the same; that the same is unencumbered, except for restrictions and easements of record and as shown above. This conveyance is made subject to the terms and conditions of a Contract for Sale of Land dated November 29, 1976, as amended, between the Grantor and Memphis Development Foundation.

And that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed by and through a duly authorized Officer this the 15th day of MAY, 1978.



ATTEST:

[Handwritten signature]

MEMPHIS HOUSING AUTHORITY

BY: *John R. Ellis*

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STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned a Notary Public within and for said State and County, at Memphis, duly commissioned and qualified, personally appeared JONN R. ELLIS and LAWRENCE S. WADE with whom I am personally acquainted, and who, upon their several oaths, acknowledged themselves to be, respectively, the CHAIRMAN and the Secretary of Memphis Housing Authority, the within named bargainor, a corporation; and that they as such CHAIRMAN and Secretary, being duly authorized so to do, executed the foregoing Instrument for the purposes therein contained by the said JONN R. ELLIS subscribing thereto the name of the corporation by himself as such CHAIRMAN and by the said LAWRENCE S. WADE affixing and attesting thereon the corporate seal.



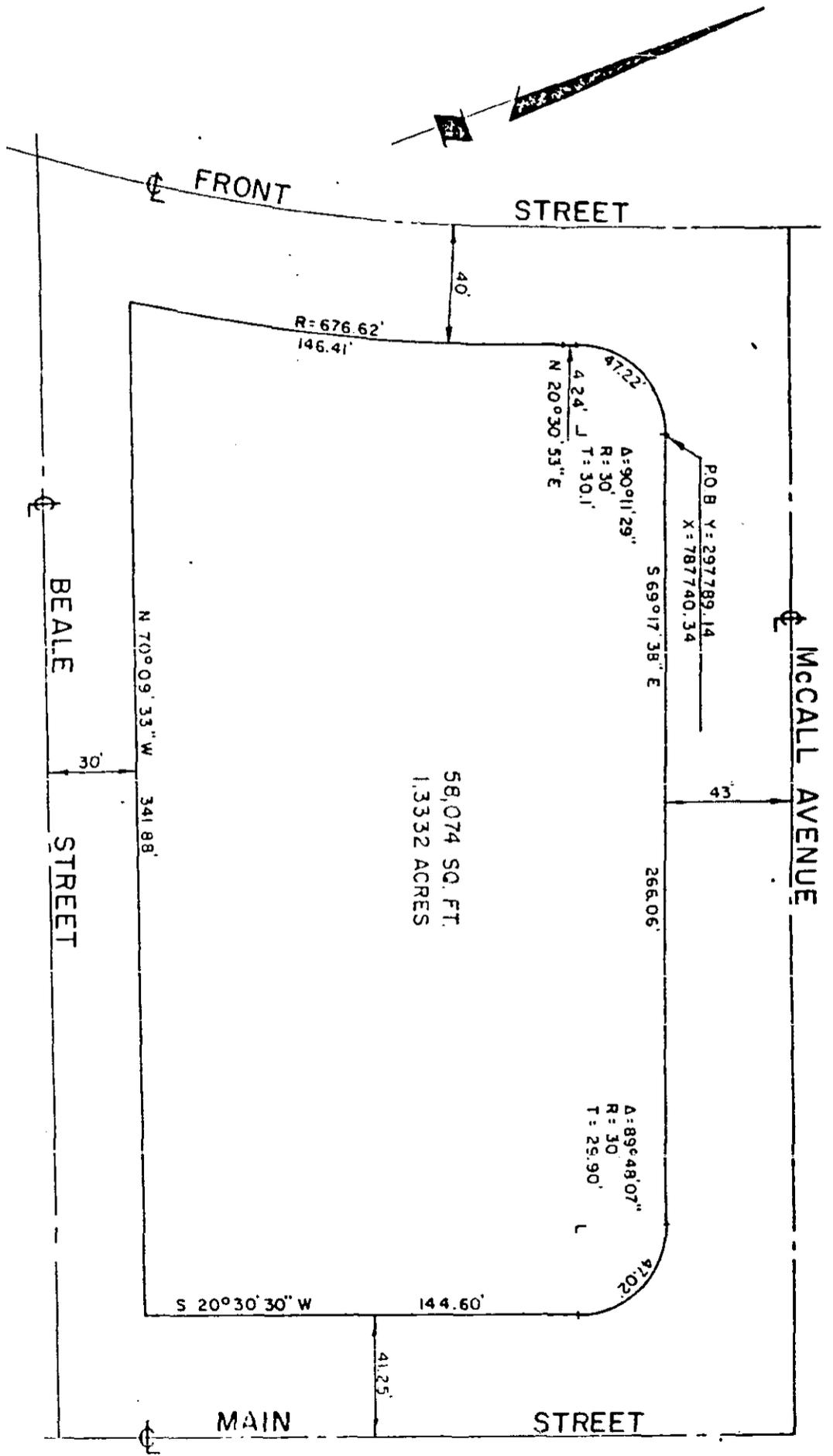
WITNESS my hand and Notarial Seal at office this the 15th day of May, 1978.

James D. Shott
Notary Public

My Commission expires: December 3, 1978

THE COORDINATES OF POINTS ARE REFERRED TO THE TENN COORDINATE SYSTEM AS SET OUT IN I.C.A 64-60' SEQ.

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DISPOSITION PLAT OF
 BLOCK 8
 BEALE STREET RENEWAL AREA I
 TENN. PROJECT R-77-C
 PICKERING-WOOTEN SMITH-WEISS, INC.
 DATE: 7/03/75
 SCALE: 1"=50'

N4 6584

OLD McCALL AVE.

WAGNER PLACE

FRONT STREET

BEALE STREET

STREET

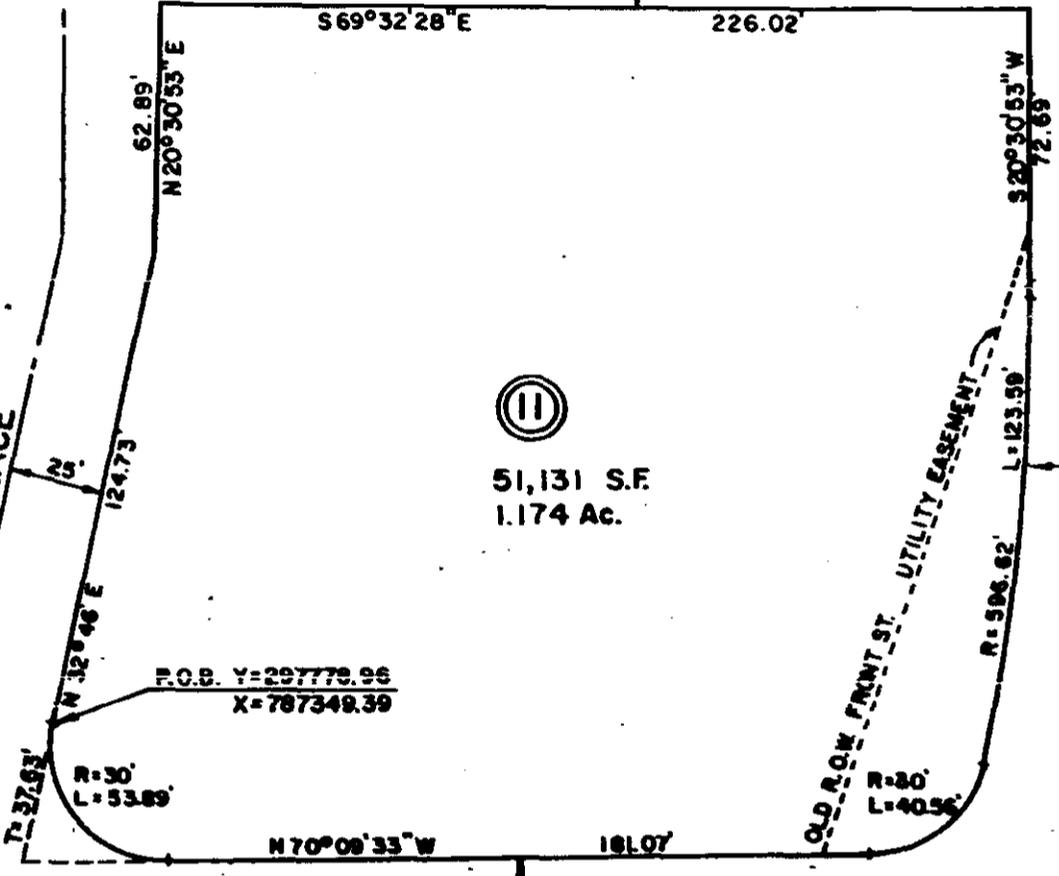


51,131 S.F.
1.174 Ac.

P.O.B. Y=297779.96
X=787349.39

R=30'
L=53.89'

R=30'
L=40.56'

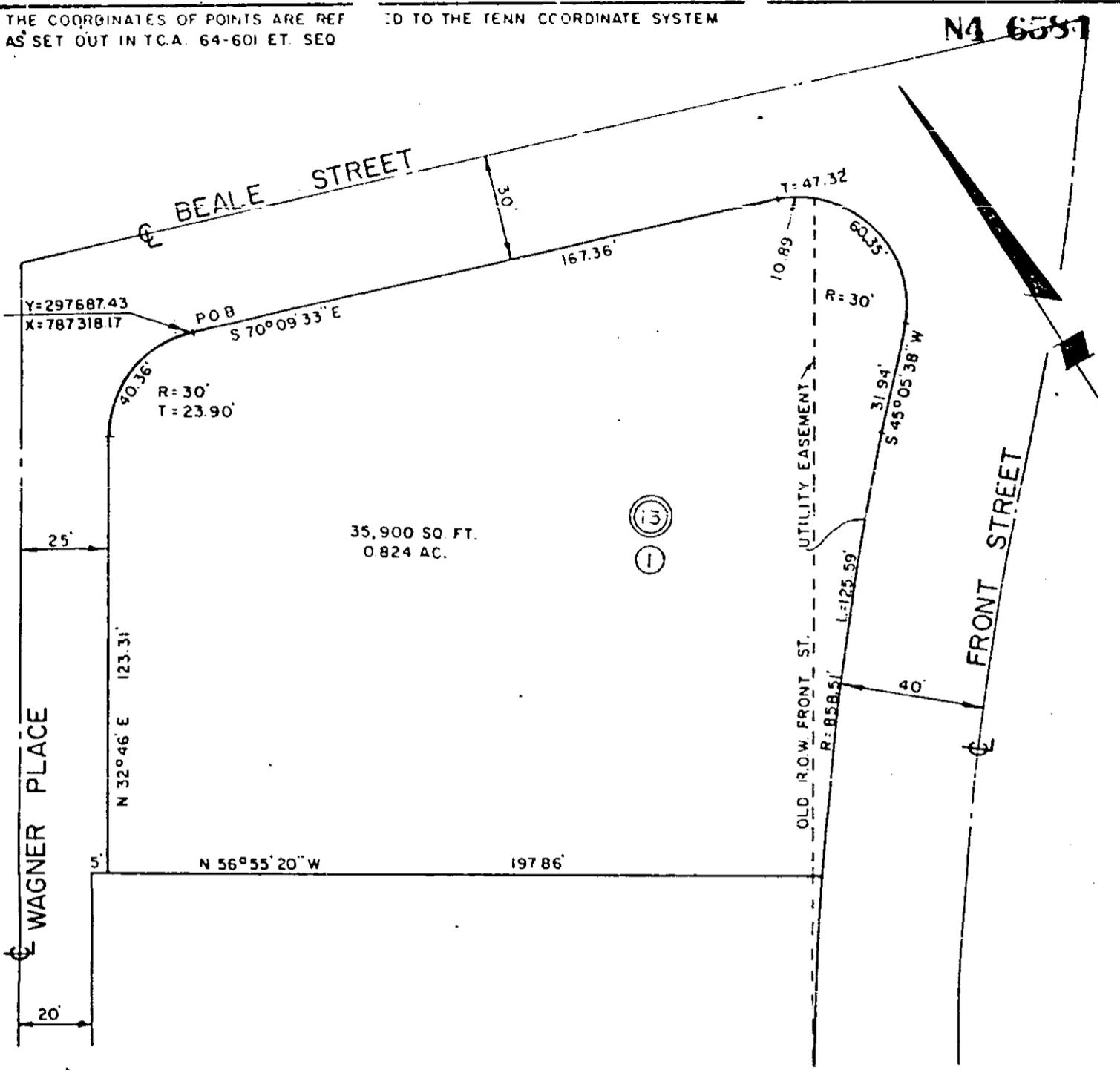


THE COORDINATES OF POINTS ARE REFERRED TO THE TENN. COORDINATE SYSTEM AS SET OUT IN T.C.A. 64-601 ET. SEQ.

DISPOSITION PLAT
OF BLOCK NO. 11
BEALE STREET RENEWAL AREA I
TENN. PROJECT R-77-C

PICKERING WOOTEN SMITH WEISS, INC.
DATE: 6/19/78 SCALE: 1"=50'

THE COORDINATES OF POINTS ARE REFERENCED TO THE TENN COORDINATE SYSTEM
AS SET OUT IN T.C.A. 64-601 ET. SEQ

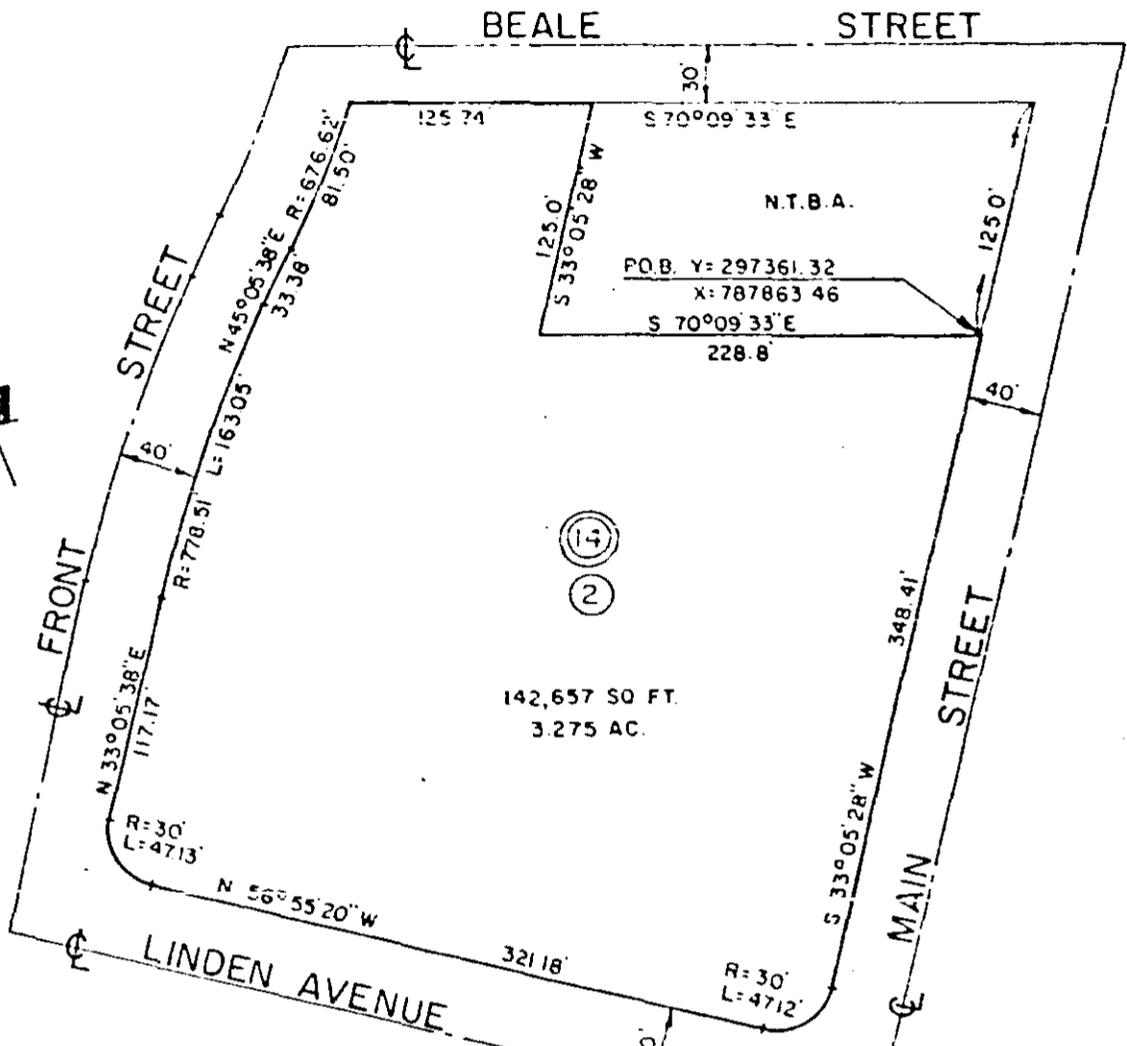


DISPOSITION PLAT OF
 PARCEL 1 BLOCK 13
 BEALE STREET RENEWAL AREA I
 TENN. PROJECT R-77-C
 PICKERING · WOOTEN · SMITH · WEISS, INC.
 DATE: 7/14/75 SCALE: 1" = 40'



N4 6584

THE COORDINATES OF POINTS REFERRED TO THE TENN. COORDINATE SYSTEM AS SET OUT IN T.C.A. 64-601 ET. SEQ.



STATE TAX _____
 REG. FEE _____
 RECEIVED _____
 JUL 24 11 17 AM '78
 REGISTER

DISPOSITION PLAT OF
 PARCEL 2 BLOCK 14
 BEALE STREET RENEWAL AREA I
 TENN. PROJECT NO. R-77-C
 PICKERING WOOTEN SMITH WEISS, INC.
 DATE 7/16/75 SCALE: 1"=100'

COMMUNITY DEVELOPMENT
 1399 AIRWAYS - ROOM 204
 MEMPHIS 38114



2801

229 N Montgomery St, Queen Anne Style, 1890

Memphis Tech High, William R. Moore School of Technology, and the Sears Roebuck & Co. building were all responses to the residential housing development that had grown around the Crosstown neighborhood between 1890-1923. Some of the earliest houses in the neighborhood that have not been demolished, besides the Van Fleet Mansion, and the Montgomery Mansion, include a Queen Anne style home built in 1890 at 299 N Montgomery St. and a 1887 Arts & Crafts style home at the south-west corner of Poplar Avenue Montgomery Street.



As well as many other architectural beauties, such as 1234 Poplar Avenue (built in 1900); 299 Montgomery St (built in 1900), a classic foursquare with siding; 314 N Claybrook St (built in 1900), an Arts & Crafts style design; and, 1174 Poplar Avenue (built in 1909), a foursquare style home with large front porch, smooth stucco finish, and round arching windows

A majority of the homes in the neighborhood were later constructed between 1910-1912 and 1920-1923. These homes consist of a mixture of bungalow, airplane bungalow, foursquare, one mission revival, and craftsmen.

In April of 1944, a B25 bomber crashed into the neighborhood, at the corner of Poplar Avenue and Cleveland Street. The aircraft smashed into a two-story home at 222 North Claybrook behind what was then a bowling alley. In the days that followed, more than 20,000 Memphians visited the crash site, and the Army brought in MPs to control the crowds. Although seven lives were lost, everyone breathed a sigh of relief that the plane had somehow missed Memphis Tech High, the Southern Bowling Lanes, Sears Crosstown, and dozens of nearby businesses that would have made the death toll much higher. Lots at the corner of Claybrook and Williams Field Avenue, to the north and south remain vacant lots to this day.

Then in the late 1960s the neighborhood was wounded by the intrusion of the interstate highway construction that eliminated Lewis St. to the west and took out over 65